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PART III—SECTION 3

Notifications relating to Minor Administrations

HIMACHAL PRADESH GOVERNMENT

NOTIFICATIONS

Simla-4, the 18th September 1952

No. HGT. 96-70/50.—In exercise of the powers conferred by section 40 of the Punjab Laws Act, 1872 as applied to Himachal Pradesh, the Lt. Governor, Himachal Pradesh is pleased to confer on Shri Suraj Singh, Secretary, Provincial Transport Authority, Himachal Pradesh for such time as he holds this appointment, all the powers which may be exercised by a police officer of the rank of Superintendent of Police under the Motor Vehicles Act, 1939, and any of the rules made thereunder.

By order,

RAM LAL.
Secretary (Transport)
to Government, Himachal Pradesh.

Department of Civil Supplies

Simla-4, the 18th September 1952

No. I&S-26-61/52.—In exercise of the powers conferred by section 3 of the Essential Supplies (Temporary Powers) Act, 1946, as delegated in the Government of India, Ministry of Commerce & Industry Notification No. 90/20-Tex.1/49(1), dated the 16th October, 1948, and all other powers enabling in this behalf and by virtue of the powers conferred under sub-clause (c) of Clause 12 of the Himachal Pradesh Cloth Distribution Order, 1948, the Himachal Pradesh Government are hereby pleased to order that all imports of mill made cotton cloth to the four districts of Himachal Pradesh viz., Mahasu, Mandi, Sirmur and Chamba shall henceforth be made under a special permit to be issued by the Director of Civil Supplies, Himachal Pradesh. This will include all imports of free sale cloth.

By order,

RAM LAL,
Secretary (Industries)
to Government, Himachal Pradesh.

Simla-4, the 18th September 1952

No. I&S-24-161/50.—In exercise of the powers conferred by section 3 of the Essential Supplies (Temporary Powers) Act, 1946 (Act No. XXIV of 1946) as delegated under Government of India notification No. PY. 603(2)-X, dated the 22nd December, 1948 and with the prior concurrence of the Government of India in the Ministry of Food and Agriculture the Lieutenant Governor is pleased to order that for schedule II annexed to Himachal Pradesh (Price Fixation) Order, 1951 published under notification No. I&S-24-161/50(PF), dated the 9th May, 1951, the following be substituted:

"SCHEDULE II OF PRICES FOR THE WHEAT (CROP YEAR 1952-53)

Name of Place.	Procurement price fixed.
Sirmur district.	Rs. 12/- per maund.
Chamba district.	Rs. 14/- per maund.

By order,

RAM LAL.

Secretary (Industries and Supplies)
to Government, Himachal Pradesh

Simla-4, the 18th September 1952

No. HGT. 72-74/50.—In continuation of Notification of even number dated the 2nd September, 1952, the Lieutenant Governor, Himachal Pradesh, has been pleased to further extend the leave on half pay of Shri Gayatri Datt, Superintendent of Police (on probation) by 45 days, up to the 6th October, 1952 (inclusive).

By order,

MAHABIR SINGH,
Assistant Secretary (Home)
to Government, Himachal Pradesh.

Simla-4, the 19th September 1952

No. R.60-53/52.—Whereas it appears to Government that land is required to be taken by the Government, at public expense, for a public purpose, namely construction of a Post Mortum room at Sangrah, Tehsil Renka, it is hereby declared that the land described in the specification below, is required for the said purpose.

2. This declaration is made under the provision of section 6 of the Land Acquisition Act, 1894, to all whom it may concern and under the provision of section 7 of the said Act, the Collector of Sirmur District is hereby directed to take order for the acquisition of the said land.

3. The plan of the said land may be inspected in the office of the Collector, Sirmur.

1 District	2 Tehsil	3 Village	4 Specifica- tion Khasra No.	4 Area
Sirmur ..	Renka ..	Sangrah ..	1988/2 ..	0 Bigha 2 Biswas.

By order,

MAHABIR SINGH,
Assistant Secretary (Home & Revenue)
to Government, Himachal Pradesh.

ELECTION TRIBUNAL, HIMACHAL PRADESH

NOTIFICATIONS

Simla, the 20th September 1952

No. 78.—In pursuance of the provisions of Section 116 of the Representation of the People Act, 1951 (XLIII of 1951), notice is hereby given to all concerned that the following application has been presented to this Tribunal by Shri Dharam Singh, respondent that he does not intend to oppose the Election Petition in re : Shri Kheota Versus Shri Dharam Singh and others, and this Tribunal has fixed the 21st October, 1952, for taking further proceedings in the Election Petition.

J. N. BHAGAT,
Chairman,
Election Tribunal, Himachal Pradesh.

To

The Chairman,
Election Tribunal, Himachal Pradesh,
Gorton Castle, Simla.

Sir,

I beg to state that due to the death of my grandfather Shri Roop Singh my family circumstances have changed:

my father was already dead. Now the whole business is my responsibility. I, therefore, find myself incapable of discharging the duties, which rest upon me, as a member of the Legislative Assembly. Therefore, forced by the circumstances, I hereby submit my resignation from the membership of the Himachal Pradesh Legislative Assembly.

And in future I do not want to take any proceedings in connection with the Election Petition either by personal appearance or through a counsel. Kindly convey your acceptance accordingly. I shall feel grateful for it.

Dharm Singh, S/o Kali Ram,
Rajput, r/o Shallai,
Tehsil Rainka,
District Sirmur (Nahan).

Simla, the 23rd September 1952

No. 80.—In pursuance of the provisions of sub-section 3(b) of section 110 of the Representation of the People Act, 1951 (XLIII of 1951), notice is hereby given to all concerned that the Election Petition in re. Shri Gian Singh Versus Shri Padam Dev and others pending before this Tribunal has been withdrawn by the petitioner Shri Gian Singh; and the withdrawal has been allowed by the Tribunal.

According to section 110(3) (c) of the Representation of the People Act, 1951, "a person who might himself have been a petitioner may, within 14 days of such application, apply to be substituted as petitioner in place of the party withdrawing".

The case shall, therefore, now come up before the Tribunal on the 23rd October, 1952.

J. N. BHAGAT,
Chairman,
Election Tribunal, Himachal Pradesh.

DISTRICT MAGISTRATE, MANDI DISTRICT

NOTIFICATION

Mandi, the 23rd September 1952

No. Tr/43/49.—In supersession to all previous Notifications and in exercise of the powers conferred on me by section 74 of the Motor Vehicles Act, 1939, I, R. G. Abbhi, District Magistrate, Mandi, do hereby fix the following timings as mentioned in the schedule of timings attached hereto for all the motor vehicles plying in the District on the roads mentioned in the schedule as required by para. 5 of the Government Notification No. J.96-249/49, dated the 3rd May, 1950.

Schedule of Timings

SUKET DEHAR SECTION

	From Suket Suket	(Up) Dehar	To Suket Dehar	(Down) Suket
1.	6-10	7-20	5-00	6-10
2.	* 8-40	9-50	7-30	8-40
3.	11-10	12-20	10-00	11-10
4.	13-40	14-50	12-30	13-40
5.	16-10	17-20	15-00	16-10
6.	18-40	19-50	17-30	18-40

SUKET JAIDEVI SECTION

	From Suket Suket	(Up) Jaidevi	To Suket Jaidevi	(Down) Suket
1.	9-00	10-00	15-00	16-00
2.	17-00	18-00	7-15	8-15

RATTI JAHU SECTION

	From Ratti Ratti	(Up) Kalkhar Bhambla	To Ratti Jahu	(Down) Kalkhar Ratti
1.	5-40	6-10	7-00	7-20
2.	6-40	..	8-10	8-30
			(Via Rawal- sar)	
3.	10-10	..	11-40	12-00
4.	19-30	..	15-00	15-20
5.	15-10	..	16-40	17-00
6.	16-40	17-30	18-40	19-00

(Via Rawalsar)

NOTE.—Vehicles proceeding to Jahu and Rawalsar which fail to conform to the time of 6th up service are allowed to cross the Ratti Barrier at 18-10 hours provided there is no cross traffic.

BHAMBLA SARKAGHAT SECTION

	From Bhambla Bhambla	(Up) Sarkaghat	To Bhambla Sarkaghat	(Down) Bhambla
1.	8-10	9-00	7-20	8-10
2.	11-40	12-30	10-50	11-40
3.	15-00	15-45	12-50	13-40
4.	16-40	17-30	15-50	16-40
5.	18-40	19-40	17-50	18-40

NOTE.—Vehicles reaching Bhambla at 11-40 by II down will avail of 12-00 hours barrier timing for coming to Ratti side.

MANDI KULU SECTION

From Mandi			(Up)	To Mandi			(Down)
1st	2nd	3rd		1st	2nd	3rd	
7-15	11-30	15-15	Dep. Mandi	A.	10-55	15-00	18-35
9-00	13-15	17-00	Arr. Aut.	D.	9-10	13-20	17-05
9-10	13-20	17-05	Dep. Aut.	A.	9-00	13-15	17-00
9-40	13-50	17-35	Arr. Jhiri	D.	8-30	12-45	16-30

R. G. ABBHI,
District Magistrate,
Mandi District.

OFFICE OF THE CHIEF COMMISSIONER BILASPUR (SIMLA HILLS)

NOTIFICATION

Bilaspur, the 12th September 1952

No. Exc-2/121/52.—In pursuance of Section 36(1) of the Dangerous Drugs Act, 1930, as in force in the State of Bilaspur, the Chief Commissioner, is pleased to direct publication of the following rules proposed to be made in exercise of the powers under section 8(2) of the said Dangerous Drugs Act read with the Government of India, Ministry of States Notification No. 104-J, dated the 24th August, 1950. Objections, if any, to any of the proposed rules can be filed with the undersigned on any working day before the lapse of 30 days from the date of the publication of this notification in the Gazette.

By order,

BISHAN DAS,

Secretary

to the Chief Commissioner.

BILASPUR MANUFACTURED DRUGS RULES

These rules may be called the Bilaspur Manufactured Drugs Rules.

They shall come into force at once.

(A) DEFINITIONS

1. In these rules unless there is anything repugnant in the subject or context—

(1) The expression "Bilaspur" means the territories for the time being administered by the Chief Commissioner of Bilaspur.

(2) The expression "Licensed Druggist" means a person licensed to dispense or to keep a shop for the sale of medicinal hemp or medicinal opium intended for use as medicine and for the manufacture of medicinal opium.

(3) The expression "Licensed Chemist" means a person who has obtained a license for the possession, compounding and sale of Coca derivatives and opium alkaloidal derivatives.

(4) The expression "Opium Alkaloidal derivatives" means—

(i) morphine, that is, the principal alkaloid of opium having the chemical formula $C_{17}H_{21}O_3$ and its salts.

(ii) diacetyl morphine, that is, the alkaloid, also known as diamorphine or heroin, having the chemical formula $C_{21}H_{23}NO_5$ and its salts.

(iii) all preparations, official and non-official, containing more than 0.2 per cent of morphine or containing any diacetyl morphine.

(5) The expression "Medical Practitioner" means—

(i) any person registered as a medical practitioner under the Medical Act, 1858, and any Act of Parliament amending the same or under any law for the registration of medical practitioners for the time being in force in any part of India, or

(ii) any person registered as a dentist under the Dentists Act, 1878, and any Act of Parliament amending the same, or who holds a license to practise dentistry granted by a State Board in the United States of America, or

(iii) any person possessed of qualifications which render him eligible for registration as a medical practitioner or dentist, as the case may be, under the Medical Act, 1858, the Dentists Act, 1878, and any Act of Parliament amending the same or under any law for the registration of medical practitioners or dentists for the time being in force in any part of India and

approved by the Collector for the purposes of these rules or of corresponding rules for the time being in force in any part of India.

- (iv) any other person engaged in scientific, medical or veterinary practice and approved by the Financial Commissioner for the purpose of these rules or of corresponding rules for the time being in force in any part of India.

Provided that the Financial Commissioner may declare any "Medical Practitioner" to be deprived of the privilege of a medical practitioner by reason of un-professional conduct, in respect of the import, export, transport, use or prescription of the manufactured drugs other than prepared opium or by reason of conviction of an offence under the excise or Opium Acts or the Dangerous Drugs Act, 1930.

- (6) The expression "prescription" means a prescription given by a "Medical practitioner" for the supply of Coca derivatives or Opium alkaloidal derivatives to a patient.
- (7) The expression "to import" means to import inter-provincially as defined in sub-section (i) of section 2 of the Dangerous Drugs Act, 1930.
- (8) The expression "to export" means to export inter-provincially as defined in sub-section (1) of section 2 of the Dangerous Drugs Act, 1930.
- (9) The expression "Civil Surgeon" means the Chief Medical Officer or other principal medical officer of the State of Bilaspur.
- (10) The expression "Collector" means the Collector of Bilaspur State and includes any officer specially authorised by the State Government to exercise throughout the State or in any specified area therein all or any of the powers of a Collector under these rules.
- (11) The expression "Excise officer" means and includes every officer invested with the powers of an Excise Officer under the Punjab Excise Act, 1914.
- (12) The expression "District Excise Officer" means an officer appointed by name by the Collector to exercise certain of the functions of the Collector under the Punjab Excise Act, 1914.
- (13) The expression "Excise Commissioner" means the Excise Commissioner appointed under Section 9 of the Punjab Excise Act, 1914.
- (14) The expression "Provincial Government" means the Government of Bilaspur.
- (15) The expression "Province" means the territories for the time being administered by the Chief Commissioner of Bilaspur.
- (16) The expression "The Act" means the Dangerous Drugs Act, 1930.

(B) MANUFACTURE

2. (1) Medicinal opium and preparations of morphine, diacetyl morphine and Cocaine may be manufactured by a medical practitioner from material which he is lawfully entitled to possess and which is required for use in the exercise of his profession.

(2) A licensed druggist may, subject to the conditions of his licence, manufacture medicinal opium from material which he is lawfully entitled to possess.

(3) A licensed chemist may, subject to the conditions of his licence, manufacture preparations of morphine, diacetyl morphine and cocaine from material which he is lawfully entitled to possess.

(C) POSSESSION

3. Any person may possess such quantity of medicinal hemp or medicinal opium which may be sold to him by a licensed druggist for medicinal purposes. He may possess such quantities of opium alkaloidal derivatives or of Coca derivatives as has been at one time dispensed and sold for his use in accordance with the provisions of rule 19 or of corresponding rules for the time being in force in any part of India.

4. (1) A medical practitioner may possess the following quantities of manufactured drugs other than prepared opium for use in his practice and not for sale—

- | | | |
|---|-----|-------------|
| (a) Medicinal hemp ... | ... | 10 ounces. |
| (b) Medicinal opium ... | ... | 10 ounces. |
| (c) Opium alkaloidal derivative
(excluding prepared opium) | | 240 grains. |
| (d) Coca derivatives ... | ... | 240 grains. |

Provided that the Collector may by special order authorise any such practitioner to possess as aforesaid any larger quantity.

Explanatory Note.—(a) The term "use in his practice" covers only the actual direct administration of the drugs in injections, surgical operations or other emergent cases by or in the presence of medical practitioner.

(b) All other issues of the drugs by a medical practitioner from his dispensary will amount to sale.

(2) (i) A medical practitioner who is permitted to possess manufactured drugs without a licence under sub-rule (1), shall obtain his supplies from a licensed chemist or druggist only and shall maintain a register showing receipts as well as disposals of each drug. The register shall be in the form D.D.26.

(ii) A separate register or a separate part of the register shall be assigned to each of the following classes of drugs and preparations :—

- (1) Cocaine and ecgonine and preparations containing cocaine or ecgonine,
- (2) morphine, and preparations containing morphine,
- (3) diacetyl morphine and containing its preparations,
- (4) medicinal opium,
- (5) dihydrohydroxycodeinone (commonly known as encodal) and preparations containing dihydrohydroxycodeinone,
- (6) dihydromorphine (commonly known as dicodide) and its preparations,
- (7) extracts or tinctures of Indian hemp ;
- (8) dihydromorphine (commonly known as dilandide) and preparations containing dihydromorphinone.

(iii) Entries in the register must be made on the day on which the drug is received or dispensed. It is not necessary that the medical practitioner should himself enter in the register the particulars of drugs administered by him or under his supervision but entries must be verified by him on the date of entry or on the following date. Where a medical practitioner practices at more than one premises a separate account of manufactured drugs kept at each premises shall be maintained.

(iv) Every entry required to be made and every correction of such an entry must be made in ink and no cancellation, obliteration or alteration shall be made of any entry in the register and any correction of any entry must be made by way of a marginal note or foot note, which must specify the date on which the correction is made.

(v) The stock of drugs in the possession of a medical practitioner and the accounts relating thereto shall be open for inspection by any officer of the Medical or Public Health Department not below the rank of Assistant Surgeon or District Medical Officer of Health or an Excise Officer not below the rank of Sub-Inspector, 2nd grade. The medical practitioner shall, if required to do so, by the Collector of the district, submit such information relating to the transactions in drugs as may be demanded from him.

(vi) If a messenger is sent by the medical practitioner to take delivery of the drug, the messenger must be given an authority in writing signed by him and specifying the messenger by name, to receive the drugs on his behalf. A licensed chemist and druggist is forbidden to deliver drugs to a messenger not so authorised. In emergencies when the medical practitioner is unable to send a signed order the licensee may act on the oral message of a medical practitioner known to him, provided that on delivery of the drug he receives a signed order from the medical practitioner or an undertaking that the signed order with the furnished within 24 hours.

(vii) The medical practitioner shall keep the drugs under lock and key.

(viii) While carrying drugs to the house of a patient, the medical practitioner shall take full precautions for the safe custody of drugs. Thefts and losses of dangerous drugs should be forthwith reported to the nearest excise or police official.

(ix) All records including registers and day-books must be kept for not less than two years from the date of the last entry therein.

5. A medical practitioner in managing or supervising charge of a hospital or dispensary authorised in this behalf by the Collector by an order made under rule 21 may possess any such quantity of manufactured drugs other than prepared opium as may be specified in such order.

26. A licensed druggist may possess such quantity of medicinal hemp and medicinal opium as may be specified in his licence. He may also possess such quantity of pure opium as is specified in the licence for the manufacture of medicinal opium.

7. A licensed chemist may possess such quantity of opium alkaloidal derivatives (excluding prepared opium) and Coca derivatives as may be specified in his licence.

8. A person to whom a pass has been granted under these rules for the import, export or transport of manufactured drugs other than prepared opium may possess such quantity thereof in such manner as may be specified in the pass.

(D) IMPORT, EXPORT AND TRANSPORT

9. The import, export, transport, possession and sale of Coca beans is prohibited in the Bilaspur.

10. Any person may import and transport such quantities of manufactured drugs, other than prepared opium, as he may lawfully possess under rule 3.

11. A medical practitioner may import and transport such quantities of manufactured drugs, other than prepared opium, as he may lawfully possess under rule 4 save that no medical practitioner may import Coca derivatives from outside the Province.

12. A medical practitioner in managing or supervising charge of a hospital or dispensary, as authorised in this behalf by the Collector by an order made under rule 21, may import and transport such quantities of manufactured drugs other than prepared opium in such manner as may be specified in the said order on an indent countersigned by the Civil Surgeon.

An indent so countersigned shall be deemed to be a permit and shall not require further countersignature.

13. A person to whom a pass has been granted under these rules for the import, export or transport of manufactured drugs, other than prepared opium, may import, export or transport such quantities of drugs in such manner as may be specified in pass.

14. (a) Subject to the provisions of rule 25 a licensed druggist may import, export or transport medicinal hemp or medicinal opium.

(b) Subject to the provisions of rules 26, 27 and 28 a licensed chemist may import, export or transport opium alkaloidal derivatives (excluding prepared opium) or Coca derivatives, provided that in the case of export, a permit has been granted to him under the rules for the time being in force in any part of India outside the Bilaspur by the Collector or other authority duly appointed in this behalf.

Explanation.—An indent for opium alkaloidal derivatives or Coca derivatives countersigned by the Civil Surgeon shall for the purpose of the rule be deemed to be a permit and shall not require further countersignature.

15. A person authorised in this behalf by the Financial Commissioner by a special order made under rule 23 may export such a quantity of manufactured drugs, other than prepared opium, in such manner as may be specified in that order.

16. Every person importing, exporting or transporting manufactured drugs other than prepared opium, shall comply with such general or special directions as may be given by the Financial Commissioner.

17. Nothing in these rules shall be deemed to permit—

(1) the import of manufactured drugs other than prepared opium—

(a) from any part of India outside the Province unless the rules for the time being in force in such part relating to the export of such drugs have been complied with, and

(b) unless the duty leviable at the place of importation under the Indian Traffic Act or any other enactment for the time being in force has been paid and a valid pass has been obtained from the Customs or Excise authorities there.

(2) The import, export or transport of manufactured drugs, by means of post.

(E) SALE

18. (a) A licensed druggist may, subject to the conditions of his licence, sell medicinal hemp or medicinal opium for medical purposes only.

(b) The Collector shall in respect of each licence fix and shall record in the licence the maximum quantity of medicinal hemp or medicinal opium which the licensee may possess at any one time for the purpose of vendor the manufacture of medicinal opium :

Provided that he shall not fix less than the following quantities :—

(a) Medicinal hemp	16 ozs.
(b) Tincture of opium	...	1 Imperial pint.
(c) Extract of opium	2 ozs.
(d) Wine of opium	Imperial pint.
(e) Liquid extract of opium	...	½ Imperial pint.
(f) Liniment of opium	...	3 Imperial pint.
(g) Confection of opium	...	1 oz.
(h) Compounded opium powder	...	4 ozs.

Note.—A medical practitioner who desires to distribute and sell medicinal hemp, medicinal opium (see explanatory notes (a) and (b) to rule 4) must take out a licence under this rule.

19. (a) A licensed chemist may, subject to the conditions of his licence, sell opium alkaloidal derivatives or Coca derivatives to—

- (i) a medical practitioner, who
 - (a) must either be known to the licensed druggist or chemist, or
 - (b) be introduced by some one known to the licensee, must either sign the register in person or send a written or signed order, stating his name, address and the name and quantity of the article required. In the latter case the licensee must satisfy himself as to the genuineness of the signature and qualification of the medical practitioner and if the drugs are sent by post, must send them by registered post. In case of real emergency the licensee may act on an oral message and send the drug; provided that the licensee is satisfied with the genuineness of the order and on the delivery he receives from the medical practitioner the signed order or an undertaking that the signed order will be furnished within 24 hours. If such signed order be not received within 24 hours the licensee shall forthwith report full details of the transaction to an Excise Officer not below the rank of an Excise Sub-Inspector, 2nd grade.
- (ii) a licensed chemist, licensed under these rules or under the rules for the time being in force in any part of India outside the Province.
- (iii) any person authorised under the rule 21 of these rules or any other corresponding rule for the time being in force as aforesaid.
- (iv) any person on a prescription subject to the following conditions, namely :—
 - (i) he shall sell the opium alkaloidal derivatives or Coca derivatives in such quantity and for the use of such person only as may be specified in the prescription.
 - (ii) if the prescription does not bear a superscription by a medical practitioner stating that it is to be repeated and at what interval of time it is to be repeated, and how many times it is to be repeated, he shall sell the opium alkaloidal derivatives or Coca derivatives once only on such a prescription and shall retain the prescription provided that he shall first warn the person presenting the prescription that unless it bears such a superscription, as aforesaid, it shall be retained.
 - (iii) if the prescription bears a superscription as aforesaid he shall enter in the prescription the date of sale and shall sign or seal the prescription; provided that if it appears that opium alkaloidal derivatives or Coca derivatives have already been sold on the prescription 6 times or such a number of times as the prescription is required to be repeated, or that the interval specified in the prescription has not elapsed since the prescription was last dispensed, he shall not sell the morphine drugs or Coca derivatives on such prescription unless it has further been superscribed by the medical practitioner.
 - (iv) any other condition that may be prescribed in his licence.
 - (v) the licensee shall maintain a written record of every such sale in such manner as the Financial Commissioner may direct.
- (b) The Collector shall in respect of each such licence fix and record in the licence the maximum quantity of opium alkaloidal derivatives or Coca derivatives which the licensee

may possess at any one time for the purpose of vend as well as for the manufacture of preparation of morphine, diacetyl morphine and Cocaine.

Note.—A medical practitioner who desires to distribute and sell opium alkaloidal derivatives or Coca derivatives (see explanatory notes (a) and (b) to rule 4) must take a licence under this rule.

(F) APPROVAL, AUTHORISATION, LICENCES, PASSES AND PERMITS

20. (a) The Financial Commissioner may approve for the purpose of rule 1(5) (iv) of the rules, any person engaged in scientific or medical or veterinary practice.

(b) The Collector may in the like manner approve any person possessed of qualifications specified in rule 1(5)(vii).

21. The Collector may with the previous sanction of the Financial Commissioner by general or special order authorise a medical practitioner in managing or supervising charge of a hospital or dispensary to possess import and transport such quantities of manufactured drugs, other than prepared opium, in such manner as may be specified in that order.

22. The Collector or District Excise Officer empowered in this behalf by the Collector may grant to a medical practitioner a permit in Form D.D.2 for the import of medicinal hemp and medicinal opium. The Financial Commissioner, or such other officer as the Provincial Government may empower in this behalf, may grant to a medical practitioner or permit in Form D.D.2 for the import of opium alkaloidal derivatives.

23. The Financial Commissioner may by special order authorise any person to export any quantity of manufactured drugs other than prepared opium.

24. (a) An officer empowered in this behalf by the Financial Commissioner may grant to any person a druggist's licence in Form D.D.5 permitting him to manufacture medicinal opium from material which he is lawfully entitled to possess, and, subject to the provisions of rule 18 to sell medicinal hemp and medicinal opium.

(b) An officer empowered in this behalf by the Financial Commissioner may grant to any person a Chemist's licence in the Form D.D.6 permitting him to manufacture preparations of morphine, diacetyl morphine and cocaine from material which he is lawfully entitled to possess and subject to the provisions of rule 19 to sell opium alkaloidal derivatives or Coca derivatives :

Provided that except with the special sanction of the Financial Commissioner such a licence shall not authorise such a chemist to possess a greater quantity than 4 ounces of opium alkaloidal derivatives or 4 ounces of Coca derivatives.

25. The Collector or the District Excise Officer empowered in this behalf by the Collector may grant to a licensed druggist a permit in the Form D.D.2 for the import of medicinal hemp and medicinal opium and a pass in the Form D.D.3 or the Form D.D.4 for the export and transport respectively of medicinal hemp and medicinal opium, not exceeding the quantity which such a licensed druggist is entitled to possess :

Provided that export passes shall not be granted except on the production of a permit signed by the Collector of the district of destination.

26. The Financial Commissioner, or such other officer as the Provincial Government may empower in this behalf, may grant to any licensed chemist a permit in the Form D.D.2 for the import of opium alkaloidal derivatives or Coca derivatives, not exceeding the quantity which such a licensed chemist is entitled to possess.

27. The Financial Commissioner, or such other officer as the Provincial Government may empower in this behalf, may grant to a licensed chemist a pass in the Form D.D.3 for the export of opium alkaloidal derivatives or Coca derivatives, provided that a permit has been granted to him under the rules for the time being in force in any part of India outside the Bilaspur, by the Collector or other authority duly appointed in this behalf.

Explanation.—An indent for opium alkaloidal derivatives or Coca derivatives countersigned by the Civil Surgeon shall for the purpose of this rule be deemed to be a permit, and shall not require further counter-signature.

28. The Collector of the district of issue may grant to a licensed chemist a pass in the Form D.D.4 for the transport of opium alkaloidal derivatives or Coca derivatives not exceeding the quantity which such chemist may lawfully possess.

29. Subject to the provisions of the Dangerous Drugs Act and of these rules, every license, permit or pass issued under these rules shall be in such a form, contain such particulars, and shall be granted by such an officer on payment of such a fee, for such a period and subject to such conditions, as the Financial Commissioner may direct.

30. (1) Any officer empowered under any of these rules to grant a licence, permit or pass thereunder, may in his discretion either grant the licence, permit or pass (as the case may be) applied for, or by an order in writing refuse to grant such a licence, permit or pass.

(2) A person whose application for any licence, permit or pass has been refused shall not be entitled to be informed of the reasons upon which such refusal is based.

31. (1) Every licence granted under these rules shall be held to have been granted personally to the licensee named therein, and shall not be transferable.

(2) If any licence holder dies before or during the currency of his licence, his licence shall forthwith determine:

Provided that the Collector may in his discretion continue any such licence in force in favour of the legal representative of the deceased licence holder.

32. (1) Subject to any directions that the Financial Commissioner may give in this behalf, the officer who has granted a licence, permit or pass, or has by order approved or authorised any person under these rules, may cancel or suspend such licence, permit or pass or such order—

(i) if such a person has—

(a) failed to pay any duty or fee payable by him,

(b) by himself or by his servant or any person acting on his behalf committed any breach of the conditions of such licence, permit or pass or of the orders issued under these rules,

(c) been convicted of any offence under the Dangerous Drugs Act or the Opium Act or under the law for the time being in force relating to exercise revenue, or of any offence under the Indian Penal Code,

(ii) if it is a condition of such licence or order that it may be cancelled or suspended, at the will of such an officer,

(iii) in any other case, after giving to such a person 15 days' notice, and shall cancel licence, permit or pass or order within 15 days on receiving such person notice that he desires to surrender the same.

(2) When such a licence, permit or pass has been cancelled or suspended as aforesaid, such a person shall forthwith make over to the Collector all the manufactured drugs in his possession.

(G) ISSUE OF SUBSIDIARY ORDER

33. Subject to the provisions of the Act and of these rules, the Financial Commissioner may from time to time give such directions as he may think fit for the purpose of carrying out the provisions of these rules.

(H) APPEAL AND REVISION

34. An appeal shall lie from an original or appellate order of an Excise Officer as follows, namely—

(a) to the Collector, when the order is made by an Excise Officer below the rank of Collector,

(b) to the Financial Commissioner, when the order is made by a Collector.

35. Every memorandum of appeal must be presented within one month from the date of the order appealed against.

Every memorandum of appeal shall be accompanied by the order appealed against in original or by an authenticated copy of such an order, unless the omission to produce such an order, or copy is explained to the satisfaction of the appellate authority. The time spent in obtaining an authenticated copy of such order shall be excluded from the period of limitation prescribed above.

36. The Financial Commissioner or a Collector may revise any order passed by an Excise Officer subordinate to him under these rules.

(I) EXEMPTION

37. The import, export and transport of manufactured drugs, other than prepared opium by or on behalf of Government may be carried out without restriction provided that in the case of transit by post the import, export

or transport shall be subject to the following restrictions :—

- (a) only parcel post may be used,
- (b) the parcel shall be accompanied by a declaration stating the name or designation of the consignee and consignor, the contents of the parcel in detail and the indent number and date covering the transaction,
- (c) the consignee shall show distinctly in his account books the name or designation of the consignor, and the quantity of the drugs sent to him from time to time by post.

38. All preparations containing not more than 0.2 per cent. of morphine or 0.1 per cent. of cocaine and any preparation which the Central Government may, by notification in the Official Gazette, made in pursuance of a finding under article 8 of the Geneva Convention or in pursuance of any international Convention supplementing the Geneva Convention, declare not to be manufactured drugs, may be imported, exported, transported, possessed, or sold without restriction.

39. The provisions of these rules shall not apply to the importation, exportation, transport, possession, or sale of codeine, dionin, and their respective salts, unless the quantity involved in any transaction, or possessed at any one time exceeds one pound.

Bilaspur, the 16th September 1952

No. Estt. (Appts.) 124/52.—Dr. Paramjit Kaur Paul, Lady Doctor, General Hospital, Bilaspur, having overstayed by 20 days the leave sanctioned to her vide this Office Notification No. Estt.(Appts)52, dated the 8th July, 1952, it is hereby ordered that the aforesaid period of overstay from 26th June 1952 to 15th July 1952 shall be treated as leave without pay under F.R. 73.

By order,
BISHAN DAS,
Secretary
to the Chief Commissioner.

Bilaspur, the 18th September 1952

No. Estt(Appts)125/52.—On return from leave on average pay for 10 days and without pay for 20 days Dr. Miss Parmjit Kaur Paul, Lady Doctor, General Hospital, Bilaspur assumed charge of her duties as Lady Doctor, with effect from 16th July, 1952 (forenoon).

By order,
BISHAN DAS,
Secretary
to the Chief Commissioner.

Bilaspur, the 19th September 1952

No. Jud-12/126/52.—In exercise of the powers under Section 6 of the Criminal Law Amendment Act, 1952, read with Government of India, Ministry of Home Affairs, Notification No. 21/7/52-Poll-II, dated the 5th September 1952 the Chief Commissioner is pleased to appoint Shri Jagat Pal Thakur, District & Sessions Judge, Bilaspur to be the Special Judge under the said act for the State of Bilaspur.

By order,
BISHAN DAS,
Secretary
to the Chief Commissioner.

GOVERNMENT OF VINDHYA PRADESH

Appointments Department

NOTIFICATIONS

Rewa, the 8th September 1952

No. 61.—In partial modification of this Department's Notification No. 42, dated the 11th July, 1952, Shri M. P. Goswami, Deputy Secretary to Government in the Revenue Department is allowed to prefix Sunday, the 13th July, 1952 to his leave from 14th July to 2nd August, 1952.

By order of the Lt. Governor,
RAGHVENDRA PRASAD.
Deputy Secretary.

Rewa, the 13th September 1952

No. 62.—In partial modification of this Department's Notification No. 46, dated the 19th July, 1952, Shri

Raghvendra Prasad, Deputy Secretary to Government in Chief Secretary's Branch is granted earned leave for 23 days from 10th September to 2nd October, 1952 (both days inclusive).

By order of the Lt. Governor,
DEBI PRASAD,
Deputy Secretary.

Rewa, the 15th September 1952

No. 63.—Shri Maheshwari Prasad Shrivastava, Advocate General and ex-officio Secretary to Government in the Judicial Department was granted earned leave for eleven days from 28th July to 7th August, 1952 (both days inclusive).

By order of the Lt. Governor,
N. R. PANDE,
Under Secretary to Govt. of Vindhya Pradesh.

Home Department

Rewa, the 17th September 1952

No. 2 Army.—The following amendment is hereby made in the Vindhya Pradesh Defence Forces Benevolent Fund Rules issued under Home Department Notification No. 1(Army), dated the 26th May 1952 :—

Amendment

Maintenance of Accounts—

9(1)—

Read "All accounts relating to receipts and payments will be maintained by the Secretary to the Trust Board and Finance Secretary to Vindhya Pradesh Government will operate the current account which will be opened in the Bank of Baghelkhand, Rewa."

By order of the Lt. Governor,

R. N. MISRA,

Deputy Secretary (Home) to the
Government of Vindhya Pradesh.

(Transport)

Rewa, the 19th September 1952

No. 21/1952.—In exercise of the powers conferred by sub-clause (ii) of sub-section (1) of section 43 of the Indian Motor Vehicles Act, 1939, read with Government of India, Ministry of States, Notification No. 104-J/50, dated the 24th August, 1950, the Lieutenant-Governor, Vindhya Pradesh, is pleased to fix seven pies per mile per passenger, the maximum rate of fare for stage carriages in Vindhya Pradesh with effect from 1st October, 1952, on condition that all wooden seats in the state carriages should be provided with cushion seats and the Bus Operators should pay fair wages to drivers, cleaners and conductors.

By order of the Lt. Governor,

R. N. MISRA,

Deputy Secretary (Home),
for Chief Secretary to the
Government of Vindhya Pradesh.

ORDER

Rewa, the 4th September 1952

No. 53-B-III.—As Shri Badri Prasad has handed over the charge of the office of Chief Secretary to the Government of Vindhya Pradesh to Shri R. N. Dey, I.C.S., the Lieutenant Governor in exercise of the powers conferred on him by the Government of India, Ministry of External Affairs' No. F.10-PV(1)/50, dated the 6th April, 1950 read with the Government of India, Ministry of States Notification No. S.R.O. 283, dated the 29th February, 1952, is pleased, in modification of Home Department Order No. 34-B-III, dated the 22nd May, 1952, to sub-delegate to Shri R. N. Dey, I.C.S., Chief Secretary the function of issuing Passports to Indian Nationals and Indian protected persons residing in Vindhya Pradesh. Shri R. N. Dey, I.C.S., will also discharge the function of issuing Passports or other travel documents to persons whose interests at present are not looked after by any British or Foreign representatives in India and to grant visas for the United Kingdom the Dominions and Colonies to foreigners.

By order of the Lt. Governor,

R. N. DEY, I.C.S..

Chief Secretary to the
Government of Vindhya Pradesh.

Revenue Department

Rewa, the 16th September 1952

No. 172/VII/179/52.—Whereas it appears to the Government that land as detailed below*, in the village of Bara Malehra in the Bijawar tahsil of the Chhatarpur district, is needed or is likely to be needed for a public purpose, namely, for the construction of School building notice is hereby given to all whom it may concern that, in exercise of the powers conferred by section 4 of the Land Acquisition Act, I of 1894, as amended by Act No. XXXVIII of 1923, the Government has authorized the Officers of the Education Department, for the time being engaged on this undertaking, to enter upon and survey land, and to do all acts required for the proper execution of their work, as provided for or specified in the said section.

* Details of land

Plot No.—1609.

Area.—38 ft. and 6 inches length, 20 ft. breadth.

By order of the Lt. Governor,

M. P. GOSWAMI,

Deputy Secretary (Revenue)
to the Government of Vindhya Pradesh.

Rewa, the 18th August 1952

No. 175-VII/64/51.—Whereas it appears to the Government that land as detailed in the list attached herewith of the Panna District, is needed or is likely to be needed for a public purpose, namely, for the construction of Amanganj-Panna-Katni Road, notice is hereby given to all whom it may concern that, in exercise of the powers conferred by section 4 of the Land Acquisition Act, I of 1894, as amended by Act No. XXXVIII of 1923, the Government has authorized the officers of P.W.D. for the time being engaged on this undertaking, to enter upon and survey land, and to do all acts required for the proper execution of their work, as provided for or specified in the said section.

By order of the Lt. Governor,

R. SINGH,

Under Secretary (Revenue) to the
Government of V.P.

Serial No.	Name of village	Plot No.	Area in acres	Remarks
1	Amanganj	70/1	0.22	
2		759	0.08	
3		875	0.03	
4		943/1	0.35	
5		943/5	0.50	
6		944/5	0.31	
7		712	0.08	
8		728	0.08	
9		733	0.05	
10		847	0.02	
11		850	0.02	
12		851	0.07	
13		873	0.03	
14		874	0.30	
15		891	0.06	
16		918	0.06	
17		917	0.02	
18		919	0.15	
19		925	0.25	
20		928/2	0.54	
21		928/3	0.08	
22		928/4	0.09	
23		892	0.05	
24		893	0.04	
25		894	0.01	
26		941	0.64	
27		942/2	0.05	
28		1034/3	0.30	
29		1064/2	0.08	
30		1064/1	0.10	
31		1064/4	0.02	
32	Adhar Khuwa	1033/1	0.08	
33		594/1	0.20	
34		594/2	0.04	
35		594/3	0.04	
36		595/1	0.30	
37		594/4	0.28	
38		640/2	0.30	
39		640/11	0.30	
40		640/14	0.10	
41		650	0.40	
42		691/1	0.03	
43		632/2	0.10	
44		646	0.70	
45		648/1	0.44	
		648/2	0.44	

Serial No.	Name of village	Plot No.	Area in acres	Remarks
46	Majhgawan Sarkar	99/1	0.60	
47		99/2	0.60	
48		95	0.52	
49		93	0.53	
50		96/2	0.30	
51		333	0.10	
52		334/1	0.50	
53	Septaiya	1/12	0.10	
54	Jhilmila	36/2	0.98	
55		59/2	0.5	
56		60/2	0.38	
57		61/2	0.40	
58		98/2	0.3	
59	Chandumukha	139/3	0.6	
60		142/1	0.10	
61		143/3	0.46	
62		144/2	0.26	
63		145/2	0.48	
64		311/1	0.30	
65		312/2	0.6	
66		310/2	0.10	
67		308/2	0.48	
68		307/3	0.7	
69		300/2	0.20	
70		299/1	0.12	
71		204/2	0.20	
72		296/2	0.30	
73		292/2	0.32	
74		201/2	0.20	
75		288/2	0.22	
76		336/2	0.6	
77	Murachh	287/2	0.55	
78		98	0.30	
79		100/2	0.30	
80		101/2	0.18	
81		116/1	0.18	
82		114/1	0.18	
83		113/1	0.15	
84		118/2	0.20	
85		112/2	0.30	
86		130	0.23	
87		131/2	0.10	
88		132/2	0.10	
89		132/2	0.5	
90		112/1	0.15	
91		135	0.24	
92		136/2	0.2	
93		173/1	0.15	
94		163/2	0.22	
95		121/1	0.20	
96		162/2	0.5	
97		182/1	0.20	
98		183/1	0.15	
99		184	0.10	
100		166/2	0.12	
101		197	0.14	
102		214/2	0.10	
103		206/2	0.5	
104		233/2	0.50	
105		334/2	0.30	
106		714/2	0.08	
107		879	0.3	
108		772/2	0.28	
109		773	0.32	
110		777/0	0.10	
111		771/2	0.8	
112		770	0.13	
113		785/1	0.5	
114		760/2	0.25	
115		787	0.58	
116		768	0.12	
117		788/1	0.10	
118		762/2	0.25	
119		790/1	0.3	
120		761/2	0.30	
121		756	0.26	
122		757/2	0.7	
123		755/2	0.20	
124		792/1	0.6	
125		751	0.38	
126		794/1	0.10	
127		795/1	0.22	
128		760/2	0.18	
129		749/2	0.30	
130		747	0.15	
131		746/2	0.10	
132		663	0.55	
133		662/2	0.25	
134		1464/1	0.8	
135		1465/1	0.15	
136		1467	0.10	
137		1468/2	0.8	
138		1459/1	0.32	
139		1484	0.14	
140		1446/1	0.17	
141		1485/2	0.40	
142		1435/3	0.40	
143		1877	0.15	
144		1878/2	0.12	
145		1879/2	0.10	
146		1880	0.10	
147		1881/2	0.10	

Serial No.	Name of village	Plot No.	Area in acres	Remarks
148	Murrachh	.. 1885/2	0.2	
149		1888	0.30	
150		1443/1	0.10	
151		1889	0.28	
152		1890/2	0.20	
153		1968	0.8	
154		1901	0.12	
155		1048/2	0.15	
156		1049	0.28	
157		1950/2	0.20	
158		1970/1	0.20	
159		1952/2	0.12	
160		1963/2	0.5	
161		1972/3	0.30	
162		1972/1	0.20	
163		1969/2	0.40	
164		1980/2	0.25	
165		1961/2	0.60	
166		1964/2	0.40	
167		1730/2	0.10	
168	Budheda	107/2	0.45	
169		97/2	0.40	
170		96/1	0.60	
171		95/1	0.62	
172		94/1	0.5	
173	Umaria	213	0.18	
174		214	0.24	
175		215	0.18	
176		255	0.20	
177		332	0.97	
178		217	0.19	
179		273	0.11	
180		274	0.18	
181		346	0.88	
182		271/1	0.17	
183		256	0.8	
184		275	0.31	
185		276	0.11	
186		258/1	0.46	
187		310/2	0.17	
188		311/2	0.17	
189		332/1	0.10	
190		333/2	0.9	
191		334	0.14	
192		344	0.50	
193		257	0.6	
194		259	0.17	
195		260/1	0.11	
196		280/2	0.11	
197		271/4	0.25	
198	Pawal	2112	0.50	
199		2105	0.20	
200		2104	0.10	
201		2107	0.8	
202		1769	0.5	
203		2113	0.5	
204		1810	0.5	
205		1816	0.20	
206		2108	0.30	
207		2112	0.8	
208		1893	0.5	
209		2111	0.35	
210		2116	0.20	
211		1768	0.10	
212		1825	0.20	
213		1815/4	0.7	
214		1811	0.30	
215		1767	0.10	
216		1765	0.7	
217		1556	0.10	
218		1703	0.10	
219		1734	0.10	
220		1736	0.10	
221		1733	0.10	
222		1726	0.5	
223		1712/1	0.7	
224		1710/1	0.7	
225		1709/1	0.7	
226		1558	0.7	
227		1704	0.10	
228		1694	0.8	
229		1695	0.8	
230		1702	0.10	
231		1701	0.9	
232		1700	0.5	
233		2162	0.2	
234		2168	0.5	
235		2165	0.7	
236		2166	0.10	
237		2168	0.10	
238		2169	0.20	
Total ..		48.88		
Acres.				

Rewa, the 18th September 1952

No. 176.—The terms of last settlement of 95 villages of Indirgarh area of Seondha Tahsil (District Datia) expired in the year 1951 and that of the 28 villages comprising Basai area, a part of Khaniadhana State of Datia Tahsil

is to expire on 30th September, 1952. The Government have, therefore, been pleased to extend the terms of settlement of both these areas upto the 30th September 1954.

By order of the Lt. Governor,

M. P. GOSWAMI,

Deputy Secretary (Revenue) to the Government of Vindhya Pradesh.

Rewa, the 19th September 1952

No. 178-VII/167/52.—Whereas it appears to the Government that land as detailed below, in the village of Nipanya in the Hazur Tahsil of the Rewa district is needed or is likely to be needed for a public purpose, namely, for the construction of a pathway, notice is hereby given to all whom it may concern that, in exercise of the powers conferred by section 4 of the Land Acquisition Act, I of 1894, as amended by Act No. XXXVIII of 1923, the Government have authorised the officers of the Revenue Department for the time being engaged on this undertaking to enter upon and survey land, and to do all acts required for the proper execution of their work, as provided for or specified in the said section.

Details of Land

Plots Nos.—120, 145, 148 and 149.

Area.—0.06, 0.12, 0.12 and 0.17 respectively.

Total.—0.47 acres.

By order of the Lt. Governor,

M. P. GOSWAMI,

Deputy Secretary (Revenue) to the Government of Vindhya Pradesh.

Rewa, the 22nd September 1952

No. 182-VII/192/51.—Whereas by Revenue Department Notification Nos. 197 and 397, dated the 23rd May and 14th September, 1951, respectively, it was notified, under section 4 of the Land Acquisition Act, I of 1894, as amended by Act No. XXXVIII of 1923, that the land in the villages of Bhatanwara and Barahta in the Nagod Tahsil of Satna District was needed by P.W.D., for a public purpose, namely, for the construction of a bridge.

It is hereby declared, under section 6 of the said Act, as amended, that the local Government is satisfied that the land described in the schedule below is needed for the public purpose stated above :—

District.—Satna.

Tahsil.—Nagod.

Village.—Bhatanwara and Barahta.

Area.—11.99 acres, i.e., 27 Bighas 9 Biswas. (Plots Nos. 388, 389, 391, 430, 436, 392, 421, 418, 422, 429, 432, 434, 435, 428, 425, 442, 326, 327, 220, 221, 235, 238, 241, 234, 75, 240, 242, 79, and 431).

The plan of the land may be inspected at the office of the Deputy Commissioner, Satna.

By order of the Lt. Governor,

M. P. GOSWAMI,

Deputy Secretary (Revenue) to the Government of V.P.

Development & Social Services Department

(Education Section)

Rewa, the 8th September 1952

No. 173.—Shri K. M. Nigam, Headmaster, R. P. High School, Panna is granted 4 days earned leave with effect from the 6th November, 1951 to the 9th November, 1951 (both days inclusive).

By order of the Lt. Governor,

K. C. C. RAJA,

Under Secretary (Education) to the Government of Vindhya Pradesh.

Rewa, the 10th September 1952

No. 174.—Government have been pleased to appoint temporarily Shri N. P. Chaturvedi, Government Pleader and Public Prosecutor, Vindhya Pradesh as Part-time Law Lecturer in Darbar College, Rewa with effect from the date he joined.

By order of the Lt. Governor,

K. C. C. RAJA,

Under Secretary (Education) to the Government of Vindhya Pradesh.

Rewa, the 10th September 1952

No. 175.—Government have been pleased to appoint temporarily the following as Lecturers in the Agricultural Institute, Rewa with effect from the date they joined subject to medical fitness, verification of age and academic qualification, etc.:—

1. Shri V. B. Singh.
2. Shri Beni Madho Singh.
3. Shri Bharat Singh.
4. Shri Paras Ram Singh.
5. Shri Onkar Singh.

By order of the Lt. Governor,

K. C. C. RAJA,
Under Secretary (Education) to the
Government of Vindhya Pradesh.

Rewa, the 10th September 1952

No. 176.—Government have been pleased to appoint Shri Ramesh Chandra Sharma, Lecturer in Agriculture, Darbar College, Rewa to officiate as Principal, Agricultural Institute, Rewa with effect from the date he joined his new appointment.

He will have his lien in his substantive post in Darbar College, Rewa.

By order of the Lt. Governor,

K. C. C. RAJA,
Under Secretary (Education) to the
Government of Vindhya Pradesh.

Rewa, the 10th September 1952

No. 177.—Government have been pleased to appoint temporarily Shri Mahendra Pratap Singh as Lecturer in Agriculture in Darbar College, Rewa in the vacancy caused by the appointment of Shri R. C. Sharma as Principal in Agricultural Institute, Rewa, with effect from the date he joined subject to medical fitness, verification of age and academic qualification, etc.

By order of the Lt. Governor,

K. C. C. RAJA,
Under Secretary (Education) to the
Government of Vindhya Pradesh.

Rewa, the 10th September 1952

No. 178.—Government have been pleased to appoint Shri R. K. Joshi, Music Teacher in Martand High School, Rewa to officiate as Lecturer in Music in Darbar College, Rewa with effect from the date he joined his new appointment subject to verification of qualification.

He will retain his lien against his substantive post in the Education Department.

By order of the Lt. Governor,

K. C. C. RAJA,
Under Secretary (Education) to the
Government of Vindhya Pradesh.

Rewa, the 19th September 1952

No. 181.—Government have been pleased to appoint temporarily the following as Senior Lecturers in the Polytechnic Institute, Nowgong, with effect from the date they join, subject to medical fitness, verification of age and academic qualification, etc. :—

1. Shri S. N. Nandy, B.M.E., for Machine Shop Engineering.
2. Shri G. Vishwakarma for Machine Shop Engineering.
3. Shri A. S. Dube, for Electrical Engineering.

By order of the Lt. Governor,

K. C. C. RAJA,
Under Secretary (Edu.) to the
Government of Vindhya Pradesh.

Rewa, the 19th September 1952

No. 182.—Government have been pleased to appoint temporarily Shri Ladli Sharan, M.A. (Eco.), as Lecturer in Commerce in the Maharaja College, Chhatarpur, with effect from the date he joins subject to medical fitness, verification of age and academic qualification, etc.

By order of the Lt. Governor,

K. C. C. RAJA,
Under Secretary (Edu.) to the
Government of Vindhya Pradesh.

Rewa, the 19th September 1952

No. 183.—Government have been pleased to appoint Shri R. L. Goswami, Dy. Inspector of Schools, Datia, to officiate as Social Education Officer in the Education Department with effect from the date he joins. He will retain his lien in his present substantive post.

By order of the Lt. Governor,

K. C. C. RAJA,
Under Secretary (Edu.) to the
Government of Vindhya Pradesh.

Rewa, the 19th September 1952

No. 184.—Government have been pleased to appoint temporarily Shri A. N. K. Adalate, M.A., B.T., as Principal, Basic Training Institute, Kundeshwar, with effect from the date he joins subject to medical fitness, verification of age and academic qualification, etc.

By order of the Lt. Governor,

K. C. C. RAJA,
Under Secretary (Edu.) to the
Government of Vindhya Pradesh.

Rewa, the 19th September 1952

No. 185.—Government have been pleased to appoint temporarily Shri Satya Prakash, B.Sc., as Leather Specialist for Leather Work and Tanning in the Education Department, Vindhya Pradesh, with effect from the date he joins subject to medical fitness, verification of age and academic qualification, etc.

By order of the Lt. Governor,

K. C. C. RAJA,
Under Secretary (Edu.) to the
Government of Vindhya Pradesh.

Rewa, the 19th September 1952

No. 186.—Government have been pleased to appoint temporarily Kumari Sneh Lata Jain, M.A., L.T., M.Ed., as Vice-Principal, in Ramanuj Training College, Rewa, with effect from the date she joins subject to medical fitness, verification of age and academic qualification, etc.

By order of the Lt. Governor,

K. C. C. RAJA,
Under Secretary (Edu.) to the
Government of Vindhya Pradesh.

Rewa, the 19th September 1952

No. 187.—Government have been pleased to appoint temporarily Shri Hemant Kumar Verma, M.A., B.T., as Lecturer in Hindi in Ramanuj Training College, Rewa, with effect from the date he joins subject to medical fitness, verification of age and academic qualification, etc.

By order of the Lt. Governor,

K. C. C. RAJA,
Under Secretary (Edu.) to the
Government of Vindhya Pradesh.

(L.S.G. Branch)

CORRIGENDUM

Rewa, the 16th September 1952

In continuation of corrigendum No. 89, dated the 21st January 1952 published in the Government of India Gazette, Part II, Sec. 3, dated the 9th February, 1952, the following further corrections may be made in the appendix to the Local Self Government Department Notification No. 89, dated the 3rd October, 1951 published in the above named gazette dated the 1st December, 1951 : →

1. Read 'Sub-section (3)' in place of 'Sub-section (5)' in Col. No. 2 against serial No. 3;
2. Read 'District Panchayat Inspector' in place of 'District Panchayat Organisers' in Col. No. 4, against serial Nos. 7, 26, 42 and 65;
3. Read 'Sub-section (1)' in place of 'Sub-section (i)' in Col. No. 2 against serial No. 9;
4. Read 'Section 103' in place of 'Section 105' in Col. No. 2 against serial No. 21;
5. Read 'Rule 111(b)' in place of 'Rule III(b)' in Col. 2 against serial No. 41;

6. Insert the word 'and' between the words 'terms' and 'Conditions' in Col. 3 against serial No. 75.

J. C. PUROHIT,
Under Secretary (L.S.G.) to
Government, Vindhya Pradesh.

(Medical & Health)
Rewa, the 29th August 1952

No. 27/B/III.—The Government is pleased to order the following promotions and postings in the Medical Department :—

- (i) Dr. B. H. A. Siddique, Civil Assistant Surgeon, Grade I, I/C, Tikamgarh District Hospitals is temporarily appointed as Surgical Specialist and posted in the Gandhi Memorial Hospital, Rewa.
- (ii) Consequent on the above Dr. D. D. Bhattacharya, Civil Assistant Surgeon, Grade I, Gandhi Memorial Hospital, Rewa is posted as Civil Assistant Surgeon, Grade I, I/C Tikamgarh District vice Dr. B. H. A. Siddique.
- (iii) Dr. J. P. Tiwari, Civil Assistant Surgeon, Grade II, Sohagpur Hospital is promoted as officiating Civil Assistant Surgeon, Grade I, but will continue to work in Sohagpur Hospital.

By order of the Lt. Governor,

H. LALL.
Under Secretary to the
Government of Vindhya Pradesh.

Rewa, the 20th September 1952

No. 30/B/III.—Dr. Babulal Verma, Civil Assistant Surgeon, Grade II, I/C hospital, Pawai, is temporarily promoted as Civil Assistant Surgeon, Grade I, with effect from the date of this order, but will remain posted at Pawai.

By order of the Lt. Governor,

V. SRINIVASAN,
Secretary to the
Government of Vindhya Pradesh.

(P.W.D.)

Rewa, the 13th September 1952

No. 52.—Shri Ram Charan Lal Saxena, B.Sc., B.E. is appointed Assistant Engineer in the Public Works Department temporarily for six months with effect from date of joining i.e. 1st July 1952.

By order of the Lt. Governor,

NARENDRA NATH,
Secretary to the
Government of Vindhya Pradesh.

(Commerce and Industries)

Rewa, the 11th September 1952

No. 48-C/A.—In pursuance of rule 6 read with rules 8 and 9 of the Mineral Concession Rules, 1949, the State Government are pleased to grant this Certificate of Approval to Sawai Raja Bahadur Devendra Vijay Singh, Ajigarh, V.P.

It shall have effect upto the 31st December, 1952.

By order of the Lt. Governor,

RAM DYAL SINGH,
Deputy Secretary to the
Government of Vindhya Pradesh.

Rewa, the 11th September 1952

No. 49-C/A.—In pursuance of rule 6 read with rules 8 and 9 of the Mineral Concession Rules, 1949, the State Government are pleased to grant this Certificate of Approval to Maharaja Kumar Narendra Singh Ju Dev Raja Bahadur, Panna.

It shall have effect upto the 31st December, 1952.

By order of the Lt. Governor,

RAM DYAL SINGH,
Deputy Secretary to the
Government of Vindhya Pradesh.

Rewa, the 7th September 1952

No. 22/X.—The following draft of Rules which it is proposed to make in exercise of the powers conferred by Section 10 (1) of the Weekly Holidays Act, 1942 (XVIII of

1942), read with Government of India, Ministry of States Notification No. 104-J, dated August 24, 1950, and S.R.O. 283, dated February 29, 1952, is published for the information of those whose interests are likely to be affected thereby.

Any suggestion or objection received within two months from the date of publication of this Notification in the official Gazette will be considered by the Government of Vindhya Pradesh.

By order of the Lt. Governor,

RAM DYAL SINGH,
Deputy Secretary to the
Government of Vindhya Pradesh.

Draft Rules

1. Short title and extent.—(1) These rules may be called the Weekly Holidays (Vindhya Pradesh) Rules, 1952.

(2) They apply to the whole of Vindhya Pradesh.

2. Definitions.—In these rules, unless there is any thing repugnant in the subject or context :—

(a) "the Act" means the Weekly Holidays Act, 1942 (XVIII of 1942);

(b) "Form" means a form appended to these rules;

(c) "section" means a section of the Act.

3. Display of notice.—(1) The notices required by sub-section (1) of section 3 and sub-section (3) of section 5 shall be in Form A.

(2) Every proprietor or other person responsible for the management of a restaurant or a theatre shall exhibit in a conspicuous place in his establishment a notice in Form B.

(3) A copy of the notices mentioned in this rule, and an intimation of all changes therein shall be sent immediately to the Inspector concerned.

4. Persons employed in a confidential capacity or in a position of management.—The following persons shall be deemed to be employed in confidential capacity or in a position of management :—

(a) The proprietor or the person responsible for the management of the establishment.

(b) The Manager or Assistant Manager of the establishment.

(c) Any other person who, in the opinion of the Inspector concerned holds such a position.

5. Method of inspection.—(1) An Inspector, making an examination under section 8 shall make such examination of the establishment and of the prescribed records, registers or notices as may appear to him necessary for the purpose of satisfying himself that the provisions of the Act, of these rules or any orders passed under the Act are being properly observed. In particular he shall satisfy himself—

(i) that the records, registers or notices required to be maintained or exhibited under the Act or these rules are properly maintained or exhibited;

(ii) that the holidays required to be granted under the Act are granted;

(iii) that the provisions of section 6 regarding the payment of wages are observed, and

(iv) that the conditions, if any, imposed under section II are complied with.

(2) The Inspector shall not as far as possible cause any suspension of business in conducting the inspection.

6. Registers.—(1) The proprietor or the person responsible for the management of every establishment shall maintain registers in forms C. & D.

(2) All registers and records to be maintained under these rules shall be either in English or in such local language as may be prescribed in this behalf by the Government of Vindhya Pradesh, and all dates entered in a register shall be in accordance with the Christian calendar. Entries shall be legibly made in ink.

(3) All registers, records, and notices relating to any calendar year shall be preserved and be available in the establishment for examination by the Inspector till the end of the next calendar year.

(4) In registers to be maintained under these rules, the entries relating to any day shall be made not later than the day following such day.

Revenue Department (Food & Civil Supplies)

Rewa, the 8th September 1952

No. 127/XIV-4/51.—In exercise of the powers conferred by the Government of India, Ministry of States, Notification No. 115-J, dated the 5th September, 1950, read with the Government of India, Ministry of States, Notification No. S.R.O. 283, dated the 29th February, 1952, and in pursuance of the Food & Civil Supplies Department Notification No. 106/XIV-4/51, dated the 6th June, 1951, as amended by Notification No. 44/XIV-4/52, dated the 31st March, 1952, the Lieutenant Governor is pleased to authorise the following officers to issue permits for movement of foodgrains from one district to another within Vindhya Pradesh in the manner indicated below :—

Serial No.	Name of Officers	Description of powers
1	Commissioner Baghelkhand and Bundelkhand, Nowrang.	From one district to another within the Bundelkhand Division.
2	All Deputy Commissioners ..	(i) For export of foodgrains upto 5 maunds in each case for private consumption. (ii) For export from his district to another district within Vindhya Pradesh against allotment made by the Director of Food & Civil Supplies.
3	Deputy Commissioner, Tikamgarh.	From any part of Tikamgarh District to Niwari and from Niwari to any other part in the District.

By order of the Lt. Governor,

GANGA PRASAD JAIN,

Joint Secretary to the
Government of Vindhya Pradesh.**OFFICE OF THE JUDICIAL COMMISSIONER,
VINDHYA PRADESH****NOTIFICATIONS**

Rewa, the 20th September 1952

No. 124.—In exercise of the powers conferred u/s 41(d) of the Bhopal and Vindhya Pradesh (Courts) Act, 1950, the Judicial Commissioner is pleased to make the following rules regarding the inspection of civil records in the court of the Judicial Commissioner and the subordinate courts. They shall come into force with immediate effect.

Inspection of records

1. Any person, desiring to ascertain the serial number and date of institution of any suit or appeal or revision or other registered particulars respecting the same, or any proceeding therein or any judicial proceeding shall, on presentation to the Registrar of the Judicial Commissioner's Court or the Presiding Officer of other subordinate courts of a written application to which shall be affixed a Court-fee label of the same value as is required for ordinary application for that court, giving the best particulars he can as to the year of institution and the names of parties, be entitled to have a search made and the information, if obtainable, given to him in writing, signed by the official in charge of the register, within three days from the date of the application. The Superintendent of the Judicial Commissioner's Court or the Munsarim of the subordinate court shall mark such application with a serial number and shall file it. In case such information be not given within such three days, the Superintendent Judicial Commissioner's Court or the Munsarim of the subordinate court as the case may be shall forthwith on the expiration of such three days report in writing to the Registrar Judicial Commissioner's Court or the Presiding Officer of the subordinate court for his orders the cause of the noncompliance with the application.

After disposal the application for search shall be pasted in a file-book in serial order. Each such file-book shall be consigned to the record room at the end of each calendar year.

2. Except as is provided by rule 3, or except under an order of the Judicial Commissioner's Court, no record in any pending case on the civil side shall be removed from the court building.

3. When the Registrar Judicial Commissioner's Court or District Judge has reason to believe that there is undue delay in the disposal of a case in a subordinate court, he may order the Court forthwith to forward the record of that case to him for inspection.

The presiding officer of a subordinate court requiring to examine at his residence a record of a case in his Court,

may take charge of such record. The official in whose custody such record may be, shall enter in a book, to be kept in the office for that purpose, a note describing the record so taken charge of by the Presiding Officer, the date when the presiding officer took charge of the record, and the date when the same was returned to the said official.

4. No papers in the office shall be open to inspection, except under an order in writing of the Registrar Judicial Commissioner's Court or the Presiding Officer of any other subordinate court made on an office report.

5. No record or paper in the office or in the custody of an officer of the Court shall be inspected by any person other than the Registrar Judicial Commissioner's Court or the presiding officer of a subordinate court or an officer of the court except under an order in writing signed by the Registrar or the Presiding Officer. Provided always that, the Judicial Commissioner or the Addl. Judicial Commissioner or the presiding officer of a subordinate court may, in his discretion, without making a written order in that behalf, permit a party to a suit or his pleader to inspect in the Court-room the record of a pending case on the day of hearing; and provided always that all Government officers duly authorized to examine records on behalf of the Government shall, at all reasonable times, be allowed to inspect without any formal application or order, and without payment of any fee for such inspection.

6. Except in the case mentioned in the first proviso in rule 5, no order for the inspection of a record or of any paper in the record, or for the inspection of a book or register under rule 17 shall be made, except upon properly stamped application.

7. Any party to a suit, appeal or other proceeding in the Court, and any such party's advocate, or Vakil, who has filed a document in writing as required by Order III, rule 4(1) of the Code of Civil Procedure, First Schedule, may apply for an order to inspect the record, or any papers in such suit, appeal or other proceeding. Provided that a party who has been ordered to file a written statement shall not be entitled by himself, his advocate or Vakil to inspect a written statement filed by another party until he has first filed his own.

Every such application shall be in writing in the prescribed form No. 1 and shall specify the record or paper of which inspection is desired, and shall have affixed to it a court fee label of the same value as in case of any other application. Such an application will be treated as ordinary, but if an inspection is sought on the very date on which an application is filed, it shall be treated as urgent and shall have affixed to it a court fee label of double the value of ordinary application.

Where a party to a case applies that any record, book or register, or set of books or registers, be sent for and inspected during the hearing of the case, the applicant shall, on the application being granted, pay into court a court fee stamp of the value of one rupee for each such record, book or register or set of books or register. If for any reason, such record, book or register is not sent for inspection, the applicant shall be entitled to refund of the inspection fee paid under this clause, less one anna in a rupee, provided he applies for such refund within three months from the date of the order granting the application for inspection.

8. Any person, other than a person to whom rule 7 applies may apply for an order for the inspection of a record or paper in a suit, appeal or other proceeding. Every such application shall be in writing in the prescribed form No. 1 and shall specify the record or paper which it is desired to inspect and shall clearly state the reason why the inspection of such record or paper is desired, and shall have affixed to it a court fee label the value of ordinary application and in Judicial Commissioner's Court Rs. 5. No such person shall be entitled as of right to obtain an order for inspection, nor shall he, in any case, be allowed to inspect exhibits put in evidence except with the consent in writing of the person by whom they were produced or his successor in interest. Such consent shall invariably be filed along with the application for inspection.

9. The application for inspection referred to in rule 7 and 8 must have affixed to it court fee labels of the aggregate value as provided therein for each and any register sought to be inspected.

10. Every order for the inspection of a record or paper shall specify the record or paper of which inspection is ordered, and shall state the name of the person or persons who may make such inspection, and the day on which such inspection may be made.

11. Every order for the inspection of a record or paper shall be sent to the Superintendent Judicial Commr's Court or the Munsarim of other subordinate court and will entitle the person or persons named in such order but not any other person or persons to inspect the record or paper specified in the order between the hours fixed for such purpose by the Registrar Judicial Commissioner's Court or the Presiding Officer of the subordinate court on the date named in the order, but on no other date.

12. The record keeper or the officer in charge of the record shall, on the date mentioned in the order required under rule 11, deliver to the Superintendent Judicial Commissioner's Court or the Munsarim of the subordinate court the record or paper mentioned in the order, and shall receive an acknowledgment from the Superintendent Judicial Commissioner's Court or the Munsarim of the subordinate court.

13. The Superintendent Judicial Commissioner's Court or the Munsarim of the subordinate court shall, on the date of the inspection and immediately after the inspection has begun, make on the order a memorandum showing the date on which the order has been complied with, and shall, on that same day, at an hour to be fixed by the Registrar Judicial Commissioner's Court or the Presiding Officer of the subordinate court return to the official from whom he received it every record or paper and every order, and such official shall forthwith file every order which has been returned to him and shall not again issue for inspection on an order so filed any record or paper; and he shall return to the Superintendent Judicial Commissioner's Court or the Munsarim of the subordinate court the acknowledgment which he received for the record or paper when issued.

14. The Superintendent Judicial Commissioner's Court or the Munsarim of the subordinate court shall keep an inspection register in the prescribed form No. 2.

15. The inspection shall be made in the room and in the presence of the Registrar Judicial Commissioner's Court or the Munsarim of the subordinate court and no person inspecting a record shall be allowed to bring into the room any pen or ink, nor to use any pen or ink; nor shall he be allowed to make any mark upon, or in any respect to mutilate, any record or paper which is being inspected.

FORM No. 2
Inspection Register
Court of.....

Number and date of order for inspection	Name of person who inspected as a party or stranger to the case	Number of description of the case specification of record, book or register inspected	Date of receipt and return of record, book or register	Number and value of stamped paper on which order of inspection made	Signature of official incharge or record, in verification of entry in column 4	Remarks and reasons for allowing inspection by a stranger
1	2	3	4	5	6	7

Rewa, the 13th September 1952

No. 118.—Shri Girwar Singh, M.M., Nowgong is granted 13 days earned leave with effect from the 29th September, 1952 and is permitted to avail Dashahra holidays from the 25th to 27th September, 1952 and 28th September (Sunday), 1952.

Shri G. P. Pandey working at present as M.M., Mauganj is posted as M.M., Nowgong, for the period.

By order,
JAGANNATH PRASAD MISHRA,
Registrar.

GOVERNMENT OF AJMER
Home, Services & Revenue Department

NOTIFICATIONS

Ajmer, the 18th September 1952

No. A(2)/103/52-HS&R.—In exercise of the powers conferred by Sub-Section (i) of Section 492 of the Code of Criminal Procedure, 1898, the Chief Commissioner of Ajmer is pleased to appoint Shri A. M. Chatterjee, M.A., B.L., attached to Delhi Special Police Establishment, to be Public Prosecutor for conducting special Police Establishment cases, in the original, as well as, appellate courts, in the State of Ajmer.

By order,
A. SEN,
I.A.S.,
Chief Secretary.

16. The Registrar Judicial Commissioner's Court or the Munsarim of the subordinate court shall not allow any person or persons to inspect or have access to any record for the time being in his custody, other than the person or persons named in and inspecting under the order for inspection.

17. No person other than the Registrar Judicial Commissioner's Court or a Presiding Officer or the subordinate court, or the Munsarim, or an officer of Government appointed for that purpose, shall be allowed to inspect any book or register maintained under the orders of the Judicial Commissioner's Court, other than the memorandum books prescribed for annual statements to be submitted by all civil courts required for statistics, except under an order in writing of the Registrar Judicial Commissioner's Court or the Presiding Officer of the subordinate court, and in the presence of officer whose duty it is to keep such book or register. The Memorandum books referred to shall be open to the public free of charge.

18. Nothing in these rules shall apply to any inspection by, or on behalf of the Judicial Commissioner's Court.

By order,
JAGANNATH PRASAD MISHRA,
Registrar.

FORM No. 1

IN THE COURT OF.....
Application for an order for the ordinary/urgent inspection of the Record.....

1. Name of the applicant and his agent.....
2. Description of the case
3. Whether the whole file is sought to be inspected or a particular document
4. Whether the applicant is a party or his agent.....
5. If the applicant is not a party or his agent, the reasons for which he wants an inspection

Law & Judicial Department

Ajmer, the 19th September 1952

No. 32/10/52-Law.—In pursuance of the provisions of section 6 of the Criminal Law Amendment Act, 1952 (XLVI of 1952) read with the Government of India, Ministry of Home Affairs Notification No. 21/7/52-Police-II, dated the 5th September, 1952, the Chief Commissioner, Ajmer, is pleased to appoint the Sessions Judge, Ajmer as Special Judge for the State of Ajmer to try the following offences, namely :—

- (a) an offence punishable under section 161, section 165 or section 165A of the Indian Penal Code (Act XLV of 1860) or sub-section (2) of section 5 of the Prevention of Corruption Act, 1947 (II of 1947);
- (b) any conspiracy to commit or any attempt to commit or any abatement of any of the offences specified in clause (a) above.

By order of the Chief Commissioner,

N. SWAMINATHAN,
Secretary.

DELHI STATE SECRETARIAT, DELHI

The Delhi Legislative Assembly Rules**CHAPTER I—SHORT TITLE AND DEFINITIONS**

1. Short Title.—These rules may be called the Delhi Legislative Assembly Rules.

2. Definitions.—(1) In these rules unless the context otherwise requires—

'Act' means the Government of Part C States Act, 1951;

'Assembly' means the Legislative Assembly of Delhi;

'Chief Commissioner' means the Chief Commissioner of Delhi;

'Committee' means any Committee appointed by the Assembly or by the Speaker for any specific or general purpose;

'Constitution' means the Constitution of India as in force for the time being;

'Deputy Speaker' means the Deputy Speaker of the Assembly;

'Division' means taking of votes by sending the member to lobbies or by adopting such other method under which lists of members voting on either side are provided;

'Finance Minister' means the Minister performing the functions, under these Rules, assigned to the Finance Minister, and may include any other Minister duly authorised in that behalf;

'Government' means the Government of Delhi;

'House' means the Legislative Assembly of Delhi;

'Member' means a member of the Assembly;

'Member-in-charge of the Bill' means in the case of a Government Bill any Minister or any member acting on behalf of the Government, and in any other case the member who has introduced the Bill or a member authorized in writing by such member to act in his behalf;

'Member in charge' in the case of a resolution or motion means the member who has moved or made such resolution or motion;

'Minister' means a member of the Council of Ministers and includes any member of the Assembly to whom such Minister may delegate any function assigned to him under these Rules;

'Motion' means a proposal made by a member for the consideration of the Assembly and includes a Resolution and an amendment to a Motion;

'Naming a Member' means drawing by the Speaker the attention of the House to the conduct of a member with a view to action being taken against him;

'Parliamentary Secretary' means a member holding the office of Parliamentary Secretary under the Delhi Government;

'President' means the President of the Union of India;

'Private Member' means a member other than a Minister; Speaker or a Parliamentary Secretary;

'Prorogue' and its derivative 'prorogation' mean the ending of a session by an order of the Chief Commissioner under sub-section (2) (a) of Section 9 of the Act;

'Resolution' means a motion for the purpose of discussing a matter of general public interest;

'Rules' mean the Delhi Legislative Assembly Rules;

'Secretary' means the Secretary to the Assembly and includes any person, performing for the time being, the duties of the Secretary;

'Select Committee' means a Committee of Members to which a Bill is referred by the Assembly for consideration after it has been introduced;

'Session' means the period from the time the Assembly meets at the summons of the Chief Commissioner to the time when it is prorogued by the Chief Commissioner;

'Speaker' means the Speaker of the Assembly;

'State' means the State of Delhi.

(2) Words and expressions used in the Constitution and the Act and not defined above shall, in these Rules, unless the context otherwise requires, have the meanings assigned to them in the Constitution and the Act.

CHAPTER II—COMMENCEMENT OF THE ASSEMBLY SESSION

3. Summoning of the Assembly.—(1) When the Assembly is summoned to meet under sub-section (1) of Section 9 of the Act, the Secretary shall intimate to each member the time and place of the meeting and shall cause a notification to be issued in the Gazette.

(2) *The summons under sub-rule.*—(1) Shall ordinarily be issued fourteen days before the date so fixed.

4. Appointment of Chairman by the Chief Commissioner.—At the beginning of a New Assembly, and if at any other time the office of Speaker is vacant and there is no person authorised and able to preside over the Assembly, the Chief Commissioner may appoint from amongst its members a Chairman to preside at the meeting of the Assembly until a Speaker has been duly elected.

CHAPTER III—SPEAKER AND DEPUTY SPEAKER AND PANEL OF PRESIDING MEMBERS

5. Election of Speaker.—(1) When at the beginning of a new Assembly or owing to a vacancy in the office of Speaker, the election of a Speaker is necessary, the Chief Commissioner shall fix a date for the holding of the election, and the Secretary shall send to every member notice of the date so fixed:

Provided that the date so fixed shall be within seven days (i) of the occurrence of the vacancy if the Assembly is sitting or (ii) of the next meeting of the Assembly if it is not sitting at the time the vacancy occurs.

(2) At any time before noon on the day preceding the date so fixed, any member may nominate another member for election by delivering to the Secretary a nomination paper signed by himself as proposer and by a third member as seconder and stating—

- (a) the name of the member nominated, and
- (b) that the proposer has ascertained that such member is willing to serve as Speaker, if elected.

(3) On the date fixed for election, in the case of a new Assembly, the member appointed by the Chief Commissioner and in any other case the Deputy Speaker or the member presiding, as the case may be, shall read out to the Assembly the names of the members who have been duly nominated together with those of their proposers and seconds, and, if only one member has been so nominated, shall declare that member to be elected. If more than one member has been so nominated, the Assembly shall proceed to elect a Speaker by ballot.

(4) For the purpose of sub-rule (3) a member shall not be deemed to have been duly nominated if either he or his proposer or seconder has not, before the reading out of names under that sub-rule, made the oath or affirmation as member of the Assembly.

(5) Where more than two candidates have been nominated and at the first ballot no candidate obtains more votes than the aggregate votes obtained by the other candidates, the candidate who has obtained the smallest number of votes shall be excluded from the election and fresh ballots shall take place, the candidate obtaining the smallest number of votes at each ballot being excluded from the election, until one candidate obtains more votes than the remaining candidate or than the aggregate votes of the remaining candidates, as the case may be.

(6) Where at any ballot any two or more candidates obtain an equal number of votes, the candidate to be excluded from the election under sub-rule (5) shall be determined by drawing lots.

6. Election of Deputy Speaker.—(1) The election of a Deputy Speaker shall be held on such date as the Speaker may fix and the Secretary shall send to every member notice of this date:

Provided that the date so fixed shall be within seven days (i) of the occurrence of the vacancy if the Assembly is sitting; or (ii) of the next meeting of the Assembly if it is not sitting at that time.

(2) At any time before noon on the day preceding the date so fixed any member may nominate another member for election by delivering to the Secretary a nomination paper signed by himself as proposer and by a third member as seconder and stating—

- (a) the name of the member nominated; and
- (b) that the proposer has ascertained that such member is willing to serve as Deputy Speaker, if elected.

(3) For the purposes of sub-rule (2) a member shall not be deemed to have been duly nominated if either he or his proposer or seconder has not, before the reading out of names under that sub-rule, made the oath or affirmation as member of the Assembly.

(4) If only one member has been proposed for election the Speaker shall read out his name together with the names of his proposer and seconder, and shall declare him to be duly elected. If more than one member has been proposed, the Speaker shall read out their names together with the names of their proposers and seconders, and the Assembly shall then proceed to elect a Deputy Speaker by ballot in accordance with rules laid down for the election of a Speaker (vide Rule 5).

(5) If a vacancy in the office of the Deputy Speaker occurs during the life of an Assembly, a fresh election shall be held in accordance with the procedure hereinbefore mentioned.

7. *Temporary Chairmen.*—(1) At the commencement of every session, the Speaker shall nominate from among the members of the Assembly a panel of not more than four Chairman, any one of whom may preside over the Assembly in the absence of the Speaker and the Deputy Speaker, when so requested by the Speaker or, in his absence, by the Deputy Speaker.

(2) The members of the panel of Chairman nominated under sub-rule (1) shall hold office until a new panel of Chairmen has been nominated.

8. *Powers of Deputy Speaker and Presiding Member.*—The Deputy Speaker and any member of the Assembly, when presiding over the Assembly shall have the same powers as the Speaker when so presiding; and all references to the Speaker in these Rules shall be deemed to be references to the member so presiding.

9. *Delegation of powers to Deputy Speaker.*—The Speaker may, if at any time owing to ill-health or any other sufficient cause he is unable to perform his duties, by order in writing, delegate to the Deputy Speaker all or any of his powers under these Rules and may revoke such delegation.

CHAPTER IV—MEETINGS OF ASSEMBLY

10. *Sittings of Assembly.*—(1) After the commencement of a session, the Assembly shall sit on such days and at such times as the Speaker having regard to the state of business of the Assembly and other considerations may from time to time determine :

Provided that in special circumstances the House may by motion extend the duration of the sitting.

(2) There will be no meetings ordinarily on Saturdays, Sundays and other public holidays.

(3) The members shall sit in such order as the Speaker may determine.

11. *Quorum.*—The quorum to constitute a meeting of the Assembly shall, as provided under sub-section (4) of Section 15 of the Act, be sixteen members of the House.

12. *Adjournment of Meetings.*—The Speaker may adjourn a meeting of the Assembly either on his own motion or on a resolution of the House in that behalf :

Provided that if the House is adjourned *sine die* ordinarily ten days notice shall be given to members of the date on which the Assembly re-assembles.

CHAPTER V—CHIEF COMMISSIONER'S ADDRESSES AND MESSAGES TO THE ASSEMBLY

13. *Allotment of time for discussion of Chief Commissioner's Special Address.*—Where the Chief Commissioner addresses the Assembly under Section 12 of the Act at the commencement of the first session after each general election and at the commencement of the first session of each year, the Speaker shall in consultation with the Leader of the House allot time for the discussion of matters referred to in the Address.

14. *Scope of Discussion.*—On such day or days or part of any day the Assembly shall be at liberty to discuss matters referred to in such Address on a motion of thanks moved by a member which shall be seconded by another member.

15. *Amendments.*—Amendments may be moved to such motion of thanks in such form as may be considered appropriate by the Speaker.

16. *Other business that may be taken up.*—Notwithstanding that a day has been allotted for discussion on the Chief Commissioner's Address, other business of a formal character may, with the permission of the

Speaker, be transacted on such day before the Assembly commences or continues discussion on the Address.

17. *Government's right of reply.*—The Chief Minister or any other Minister, whether he has previously taken part in the discussion or not, shall, on behalf of the Government, have a general right of explaining the position of the Government at the end of the discussion and the Speaker may enquire how much time will be required for the speech so that he may fix the hour by which the discussion shall conclude.

18. *Time limit for speeches.*—The Speaker may, if he thinks fit, prescribe a time limit for speeches.

19. *Chief Commissioner's other Addresses.*—There shall be no discussion on the other Addresses of the Chief Commissioner made under Section 12 of the Act :

Provided that the contents of the Addresses may be referred to in debates in the Assembly.

20. *Messages of the Chief Commissioner.*—Where a message under Section 12 of the Act from the Chief Commissioner to the Assembly is received by the Speaker, he shall read the message to the House and give necessary directions in regard to the procedure that shall be followed for the consideration of matters referred to in the message. In giving these directions, the Speaker shall be empowered to suspend or vary the rules to such extent as may be necessary.

CHAPTER VI—ARRANGEMENT OF BUSINESS

21. *List of Business.*—(1) A list of business for the day shall be prepared by the Secretary and a copy thereof shall be made available for the use of every member.

(2) Save as otherwise provided in these Rules, no business not included in the list of business for the day shall be transacted at any meeting without the leave of the Speaker.

(3) No business requiring notice shall be set down for a day before the period of the necessary notice has expired unless otherwise directed by the Speaker.

22. *Allotment of time for Private Members' business.*—(1) The Speaker shall, after consultation with the Leader of the House, allot as many days as are necessary for the transaction of Private Members' business :

Provided that the number of days so allotted shall not be less than two days for every fourteen days on which Government business is transacted.

(2) On the days allotted under sub-rule (1) for Private Members' business, the Speaker may allot different days for the disposal of different classes of such business; and on days so allotted for any particular class of business, business of that class shall have precedence.

(3) On the days available for private members' Bills in any Session, such Bills shall be arranged in the following order, provided that notices in respect thereof as required by these rules have been given :—

(a) Bills to be introduced :

(b) Bills returned by the Chief Commissioner with a message under Section 26 of the Act;

(c) Bills in respect of which a motion has been made that the Bill be passed;

(d) Bills in respect of which a motion has been carried that the Bill be taken into consideration,

(e) Bills in respect of which the report of a Select Committee has been presented;

(f) Bills which have been circulated for the purpose of eliciting opinions.

(g) Bill introduced and in respect of which no further motion has been made or carried.

(4) The relative precedence of Bills which are at the same stage shall be determined by ballot in such manner and at such time as the Speaker may from time to time direct.

23. *Private Members' Business Outstanding at End of Day.*—Private Members' business set down for the day allotted for that class of business and not disposed of on that day shall not be set down for any subsequent day, unless it has gained priority at the ballot held with reference to that day :

Provided that any business which is under discussion at the end of that day shall be set down for the next day allotted to business of that class, and shall have precedence over all other business set down for that day.

24. Arrangement of Government Business.—(1) On days other than those allotted for Private Members' business no business except Government business shall be transacted without the consent of the Speaker. The Government may arrange the order of business in such manner as it thinks fit.

(2) On the first working day of every week when the House meets, the Leader of the House or any member authorized by him will, after questions, inform the House of the business to be transacted during the week and the order in which it will be taken. If any change is considered necessary, the Government will, as far as possible, inform the House of it a day before it is made.

CHAPTER VII—QUESTIONS

25. Classification of Questions.—The questions will be classified as follows :—

- (a) Short notice questions relating to matters of urgent public importance ;
- (b) Starred questions ; and
- (c) Unstarred questions.

26. Mode of giving Notice of Questions.—(1) A member who wishes to ask a question shall, along with his request, submit a copy of the question to the Secretary.

(2) A member may distinguish his short notice question by placing two asterisks and starred question by placing one asterisk before the copy of the question which he submits to the Secretary. The answers to such questions shall be read out after which any member shall be entitled to put supplementary questions for the purpose of elucidating any matter of fact regarding which an oral answer has been given :

Provided the Speaker may disallow a supplementary question if, in his opinion, sufficient or reasonable number of supplementary questions have already been put in respect of that question.

27. Notice of Questions.—(1) If a member wishes to ask a short notice question, he shall give three clear days' notice of such question which shall be forwarded to Government by the Secretary two clear days before the date fixed for its answer :

Provided that no question shall be listed as a short notice question unless the Minister concerned has agreed to answer it as a short notice question.

(2) A member asking other questions shall give 15 clear days' notice of such questions which shall be forwarded to Government by the Secretary within five days of their receipt.

(3) A notice under this rule must be handed over before the question hour. If it is delivered later, it shall be treated as having been received on the next day.

28. Time for Questions.—Unless the Speaker, for special reasons otherwise directs, the first hour of every meeting shall be available for the asking and answering of questions, short notice questions having precedence over others.

29. Limitation on number of Questions.—A member shall not ask more than three self-contained starred questions on a single day. The Speaker may disallow any question which asks for information on more than one subject. Questions in excess of three, if any, may be admitted as unstarred questions.

30. Lists of questions and answers.—The list of questions and answers for any day shall be made available for the perusal of members on the day before such list is answered in the Assembly :

Provided that the Speaker may allow any question to be answered before it has been made so available.

(2) The Speaker shall call starred questions entered in the list for the day in the order in which they stand in the list within the time available for questions.

31. Postponement of question due to Absence of Minister.—In the event of absence of the Minister concerned on account of special or unexpected circumstances, the Speaker, on request being made in that behalf, may postpone the question to any future day.

32. Questions of absent Members.—When all the questions for which oral answers are desired have been called, the Speaker may, if time permits, call again any question which has not been asked by reason of the absence of the member in whose name it stands, and may also permit a member to ask a question standing in the name of another member if so authorized by him in writing.

33. Withdrawal or postponement of Question.—A member may, by notice given at any time before the meeting for which his question has been placed on the list, withdraw his question, or make a request to postpone it to a later day to be specified in the notice, and on such later day the question shall be placed on the list after the questions tabled for that day.

34. Written answers to questions not replied orally.—If a short notice or starred question included in the list of questions and answers on any day is not answered because of the absence of the member at the time the question is called or because it could not be taken up during the hour fixed for answering questions, the written reply to such questions shall be published as a part of the proceedings of the day.

35. Subject matter of questions.—A question addressed to a Minister shall relate to the public affairs with which he is officially connected, or to a matter of administration for which he is responsible or to a matter of public concern which is within his special cognizance.

36. Form and contents of Questions.—No question may be asked which does not satisfy the following conditions, namely :—

- (1) It must not bring in any name or statement not strictly necessary to make the question intelligible.
- (2) If it contains a statement by the member himself the member asking it must make himself responsible for the accuracy of the statement.
- (3) It must not contain arguments, inferences, ironical or offensive expressions or defamatory statements.
- (4) It must not ask for an expression of opinion or the solution of a hypothetical proposition or for a legal interpretation of a statute, rule or bye-law.
- (5) It must not refer to the character or conduct of any person except in his official or public capacity.
- (6) It must not be of excessive length.
- (7) It shall not repeat in the same session in substance question already answered or to which an answer has been refused.
- (8) It shall not require information set forth in accessible documents or in ordinary works of reference.
- (9) It shall not ask for information on a matter which is under adjudication by a Court of Law having jurisdiction in any part of India.
- (10) It shall not refer to the conduct of any Judge or a Court of Law having jurisdiction in any part of India in the exercise of his or its judicial function.
- (11) It shall not make or imply a charge of a personal character.
- (12) It shall not ask for information on trivial, vague and meaningless matters.
- (13) It shall not ordinarily seek information on matters of past history.
- (14) Except when a matter of principle is involved it shall not, as far as possible, relate to individual cases.
- (15) It shall not relate to day-to-day administration of local bodies or other semi-autonomous bodies. The Speaker may, however, allow questions which arise out of their relation with the Government or refer to breaches of law or rules or relate to important matters involving general welfare.
- (16) It shall not refer to debates in the current session.
- (17) It shall not criticise decisions of the Assembly.
- (18) It shall not seek information about matters which in their nature are secret, such as, decisions or proceedings of the Cabinet, advice given to the Chief Commissioner by Law Officers and other similar subjects.
- (19) It shall not deal with matters before a Committee appointed by the House or with matters within the jurisdiction of the Chairman of a Select Committee or the authorities of the House.

- (20) It shall not ask whether a statement in the Press or of private individual or of a non-official body is accurate.
- (21) It shall not reflect on the character or conduct of those persons whose conduct may only be challenged on a substantive motion.
- (22) It shall not raise questions of policy too large to be dealt within the limits of an answer to a question.
- (23) It shall not in substance be a suggestion or request for any particular action in the matter raised by the member asking the question.
- (24) It shall not relate to matter within the jurisdiction of the Speaker.

37. Questions involving controversy.—In matters which are or have been the subject of controversy between the State Government and the Government of India no question shall be asked except as to matters of fact.

38. Restrictions on Supplementary Questions.—The conditions specified in rule 36 relating to questions shall apply to supplementary questions arising out of oral answers to questions.

39. Questions to the Speaker.—Questions to the Speaker shall be made by private notice. Such questions may either be answered by a written reply or in his chamber.

40. Questions to private Members.—Question may be addressed by a member to a private member provided the subject matter of the question relates to some Bill, Resolution or other matter connected with the business of the House for which that member is responsible and the procedure in regard to such questions shall, as far as may be the same as that followed in the case of questions addressed to a Minister with such variations as the Speaker may consider necessary or convenient.

41. Speaker to decide admissibility of Questions.—The Speaker shall decide on the admissibility of a question. He may disallow any question which in his opinion contravenes these rules or is an abuse of the right of asking questions. He may amend a question to bring it into conformity with the rules or may return a question for improvement.

42. Power of the Speaker to change Class of a question.—The Speaker may convert a short notice question into a starred or unstarred question and a starred question into an unstarred question.

43. Questions how put.—Questions shall be put in such manner as the Speaker may in his discretion determine.

44. Manner of answering Questions.—(1) Answer to a question shall be relevant to the subject matter of the question. Answer may take the form of laying statement on the Table of the Assembly.

45. Questions and Answers to be entered in Proceedings of the Assembly.—All questions asked and answers given shall be entered in the proceedings of the Assembly.

Provided that a question which has been disallowed may not be so entered.

46. Discussions on matters arising out of Questions and Answers.—(1) The Speaker shall allot half an hour after the termination of a meeting of the Assembly on one day in a week, for raising discussion on a matter of sufficient public importance which has been the subject of a question and answer in the House.

(2) A member wishing to raise such a matter shall give notice in writing to the Secretary two days in advance of the day on which the matter is desired to be raised, and shall briefly specify the point or points that he wishes to raise :

Provided that the notice shall be accompanied by an explanatory note stating the reasons for raising discussion on the matter in question :

Provided further that the Speaker may, with the consent of the Minister concerned, waive the requirement concerning the period of notice.

(3) If necessary, two notices may be taken up at one sitting. If more than two notices have been received and admitted by the Speaker, the Speaker shall decide as to which two of them are to be taken up :

Provided that if any matter put down for discussion on a particular day is not disposed of on that day it shall not be set down for any further day.

(4) There shall be no formal motion before the House nor voting. The member who has given notice will introduce the subject in a short statement. The Minister concerned will reply shortly. The Speaker may then permit other members to put questions or to express opinions. The member introducing the subject may be permitted to speak a second time to make a reply and the discussion will end with the final remarks of the Minister concerned.

47. Prohibition of Publicity of Answers to Questions in Advance.—Answers to questions which Ministers propose to give in the House shall not be released for publication until the questions are taken up and answers are given on the floor of the House or laid on the Table.

CHAPTER VIII—QUESTIONS OF PRIVILEGE

48. Questions of privilege.—Subject to the provisions of these rules, a member may, with the consent of the Speaker, raise a question involving a breach of privilege either of a member, or of the Assembly, or of a Committee thereof.

49. Notice of question of privilege.—A member wishing to raise a question of privilege shall give notice in writing to the Secretary at least one hour before the commencement of the sitting on the day the question is proposed to be raised.

50. Restrictions on right to raise questions of privilege.—The right to raise a question of privilege shall be subject to the following restrictions :—

- (i) not more than one question shall be raised at the same sitting ;
- (ii) the question shall be restricted to a specific matter of recent occurrence.

51. Mode of raising question of privilege.—(1) The Speaker, if he gives consent under rule 48 and holds that the matter proposed to be discussed is in order, shall, after the questions and before the list of business is entered upon, call the member concerned, who shall rise in his seat and, while asking for leave to raise the question of privilege, make a short statement relevant thereto :

Provided that where the Speaker has refused his consent under rule 48 or is of opinion that the matter proposed to be discussed is not in order, he may, if he thinks it necessary, read the notice of question of privilege and state that he refuses consent or holds that the notice of question of privilege is not in order :

Provided further that the Speaker may, if he is satisfied about the urgency of the matter, allow a question of privilege to be raised at any time during the course of a sitting after the disposal of questions.

(2) After the member has asked for leave of the Assembly to raise the question of privilege, the Speaker shall ask whether the member has the leave of the Assembly. If objection is taken, the Speaker shall request those members who are in favour of leave being granted to rise in their seats, and if 12 members rise accordingly, the Speaker shall intimate that leave is granted. If less than 12 members rise, the Speaker shall inform the member that he has not the leave of the Assembly.

52. Reference to Committee of Privileges.—If leave is granted, the Speaker shall refer the question to a Committee of Privileges.

53. Committee of Privileges.—(1) At the commencement of the Assembly, or from time to time, as the case may be, the Speaker shall nominate from amongst the members of the Assembly a Committee of Privileges consisting of 8 members including the Deputy Speaker who shall be its Chairman. The members of the Committee shall hold office until a new Committee is nominated.

(2) If the Chairman of the Committee is unable to act, the Speaker may nominate another member to act as Chairman of the Committee; but if the Chairman is absent from any meeting of the Committee, the Committee shall elect a Chairman of the meeting from amongst its members.

54. Quorum of Committee.—One-half of the total number of members of the Committee shall form the quorum.

55. Examination of the question by Committee.—(1) The Committee shall examine every question referred to it and determine with reference to the facts of each case whether a breach of privilege is involved and, if so, the nature of the breach, the circumstances leading to it, and make a report to the Assembly.

(2) Subject to the provisions of sub-rule (1) of this rule, the report may also state the procedure to be followed by the Assembly in giving effect to the recommendations made by the Committee.

56. Evidence before Committee of Privileges.—(1) The Committee shall have power to require the attendance of persons or the production of papers or records, if such a course is considered necessary for the discharge of its duties :

Provided that if any question arises whether the evidence of a person or the production of a document is relevant for the purposes of the Committee, the question shall be referred to the Speaker, whose decision shall be final :

Provided further that Government may decline to produce a document on the ground that its disclosure would be prejudicial to the safety or interest of the State.

(2) Subject to the provisions of this rule, a witness may be summoned by an order signed by the Chairman and shall produce such documents as are required for the use of the Committee.

(3) It shall be in the discretion of the Committee to treat any evidence tendered before it as secret or confidential.

57. Sittings of Committee of Privileges.—(1) As soon as may be after a question of privilege has been referred to the Committee of Privileges, the Committee shall meet from time to time and shall make a report within the time fixed by the Assembly :

Provided that where the Assembly has not fixed any time for the presentation of the report, the report shall be presented within one month of the date on which reference to the Committee was made :

Provided further that the Assembly may at any time on a motion being made, direct that the time for the presentation of the report by the Committee be extended to a date specified in the motion.

(2) Report may be either preliminary or final.

(3) If any member of the Committee desires to record a minute of dissent on any matters, he shall sign the report stating that he does so subject to a minute of dissent, and shall at the same time hand in his minute.

58. Presentation of report.—The report of the Committee of Privileges shall be presented to the Assembly by the Chairman or in his absence by any member of the Committee.

59. Consideration of report.—As soon as may be, after the report has been presented, the Chairman or any member of the Committee shall move that the report be taken into consideration.

60. Amendments.—Any member may give notice of an amendment to the motion for consideration of the report referred to in rule 59 in such form as may be considered appropriate by the Speaker :

Provided that an amendment may be moved that the question be re-committed to the Committee either without limitation or with reference to any particular matter.

61. Regulation of Procedure.—The Speaker may issue such directions as he may consider necessary for regulating the procedure in connection with all matters connected with the consideration of the question of privilege either in the Committee or in the Assembly.

62. Power of Speaker to refer questions of privilege to Committee.—Notwithstanding anything contained in these rules the Speaker may refer any question of privilege to the Committee of Privileges for examination, investigation or report.

CHAPTER IX—MOTIONS FOR ADJOURNMENT FOR PURPOSES OF DEBATE

63. Speaker's consent necessary to make motion.—

(1) Subject to the provisions of these rules, a motion for an adjournment of the business of the House for the purpose of discussing a definite matter of urgent public importance may be made with the consent of the Speaker.

(2) The Speaker shall decide whether the matter to be discussed is definite and whether it is of urgent public importance.

64. Method of giving Notice.—Notice of an adjournment motion shall be given to the Secretary in duplicate not later than one hour before the commencement of the sitting on the day on which the motion is proposed to be made. The Secretary shall send one copy of the notice to the Minister concerned.

65. Restrictions on right to make Motion.—The right to move the adjournment of the House for the purpose of

discussing a definite matter of urgent public importance shall be subject to the following restrictions, namely :—

- (1) not more than one such motion shall be made at the same sitting ;
- (2) not more than one matter shall be discussed on the same motion ;
- (3) the motion shall be restricted to a specified matter of recent occurrence ;
- (4) the motion shall not raise a question of privilege ;
- (5) the motion shall not revive discussion on a matter which has been discussed in the same session ;
- (6) the motion shall not anticipate a matter which has been previously fixed for consideration. In determining whether a discussion is out of order on the ground of anticipation, the Speaker shall take into consideration the probability of the matter anticipated being brought before the Assembly within a reasonable time ;
- (7) the motion must not deal with a matter on which a resolution could not be moved ; and
- (8) the motion shall not relate to a matter which is not the concern of the State Government.

66. Mode of asking for leave to move adjournment motion.—(1) The Speaker shall take up the motion after the questions and before the list of business is entered upon and if he holds that the matter proposed is in order and gives his consent under rule 63 he shall call the member concerned who shall rise in his place and ask for leave to move the adjournment of the House.

(2) If the Speaker is of the opinion that the matter proposed to be discussed is not in order or has refused his consent under rule 63, he may, unless he thinks it otherwise, read the notice of motion and state the reasons for holding the motion as not being in order or for refusing his consent.

(3) If objection to leave being granted is taken the Speaker shall request those members who are in favour of leave being granted to rise in their places, and if not less than eight members rise accordingly, the Speaker shall intimate that leave is granted. If less than the required number of members rise, the Speaker shall inform the member that he has not the leave of the House.

67. Time for taking up motion.—If leave to make such a motion is granted, the motion shall be taken up an hour before the time fixed for the usual termination of the business of the day, or if the Speaker so directs, at any earlier hour at which the business of the day may terminate.

68. Limitation of time of discussion.—(1) The debate on a motion to discuss a matter of urgent public importance, if not earlier concluded, shall automatically terminate on the expiration of two hours from the time when the discussion began and thereafter no question shall be put.

(2) No speech during such debate shall exceed 15 minutes in duration except with the permission of the Speaker.

CHAPTER X—RESOLUTIONS

69. Notice of Resolutions by private members.—(1) A private member who wishes to move a resolution shall give not less than fifteen days' notice to the Secretary of his intention and shall, together with the notice, submit a copy of the resolution which he wishes to move.

Provided that the Speaker may with the consent of the Minister-in-Charge of the Department concerned allow a resolution to be entered in the list of business with shorter notice than fifteen days.

(2) No member shall except with the permission of the Speaker be permitted to send in notice of more than five resolutions during the Session of the Assembly.

(3) A copy of the resolution, if admitted by the Speaker, shall be sent to Government nine days before the date fixed for its discussion.

70. Notice of resolution by Government.—If the Government desire to move a resolution they shall give seven days' notice and shall along with it supply a copy of the resolution to the Secretary, who shall have its copies sent to members within forty-eight hours of its receipt :

Provided that the Speaker may allow a shorter notice.

71. Form of resolution.—A resolution may be in the form of a declaration of opinion by the Assembly.

72. Subject matter of resolution.—Subject to the provisions of these rules, any member may move a resolution relating to a matter of general public interest concerning the affairs of the State.

73. Conditions of Admissibility of resolutions.—In order that a resolution may be admissible, it shall satisfy the following conditions, namely :—

- (1) it shall be clearly and precisely expressed,
- (2) it shall raise substantially one definite issue;
- (3) it shall not contain arguments, inferences, ironical expressions, imputations or defamatory statements;
- (4) It shall not refer to the conduct or character of persons except in their official or public capacity; and
- (5) it shall not relate to any matter which is under adjudication by a Court of Law having jurisdiction in any part of India.

74. Admissibility of resolutions.—The Speaker shall decide on the admissibility of a resolution and may, at his discretion, amend the form of a resolution so as to bring it into conformity with the rules. He may disallow any resolution or part thereof if in his opinion it does not comply with the rules.

75. Precedence of private member's resolutions.—(1) The relative precedence of notices of resolutions given by private members shall be determined by ballot to be held in accordance with the directions given by the Speaker on such day, not being less than eight days before the day with reference to which the ballot is held, as the Speaker may appoint.

(2) Unless the Speaker otherwise directs, not more than five resolutions (in addition to any resolution which is outstanding under the proviso to rule 23) shall be set down in the list of business for any day allotted for the disposal of Private Members' resolutions.

76. Moving and withdrawal of resolutions.—(1) A member in whose name a resolution appears on the list of business or any other member whom he may have authorised in writing to act in his behalf may, when called on—

- (a) either move the resolution, in which case he shall commence his speech by a formal motion in the terms appearing on the list of business, or
- (b) decline to move the resolution, in which case he shall confine himself to a mere statement to that effect.

Provided that the Speaker in his discretion may allow the member to make a brief statement as to why he does not propose to move the resolution.

(2) If the member when called on is absent and no other member has been duly authorised to act in his behalf as required under sub-rule (1), the resolution standing in his name shall lapse.

77. Amendments.—When a resolution is under discussion any member may, subject to the rules relating to resolutions, move an amendment to such resolution :

Provided that an amendment may not be moved which if carried would have merely the effect of a negative vote.

78. Notice of amendment.—(1) If a copy of an amendment has not been delivered to the Secretary thirty-six hours before the day fixed for the discussion of the resolution any member may object to the moving of the amendment and such objection shall prevail unless the Speaker allows the amendment to be moved.

(2) The Secretary shall cause every amendment to be printed, and a copy shall be made available for the use of every member.

79. Duration of speeches.—No speech shall exceed fifteen minutes in duration :

Provided that the mover of a resolution when moving the same and the Minister in Charge of the department concerned when speaking for the first time may speak for twenty-five minutes.

80. Withdrawal of resolution.—(1) A Member who has moved a resolution or an amendment to a resolution shall not withdraw the same except by leave of the House.

(2) No discussion shall be permitted on a motion for leave to withdraw.

81. Resolution not discussed.—If a resolution of which notice has been given by a member and which has been admitted is not discussed during the day, it shall be deemed to have lapsed.

82. Division of resolution.—When any resolution involving several points has been discussed, it shall be in the discretion of the Speaker to divide the resolution and put each or any point separately to the vote as he may think fit.

83. Repetition of resolution.—When a resolution has been moved, no resolution or amendment raising substantially the same question shall be moved within six months from the date of moving of the earlier resolution.

84. Copy of resolution passed to be sent to Government.—A copy of every resolution which has been passed by the House shall be forwarded to the Government.

CHAPTER XI—NO CONFIDENCE MOTION

85. No confidence motion against Speaker and Deputy Speaker.—The Resolution to remove the Speaker or the Deputy Speaker from office, of which 14 days' notice as required under Section 10 of the Act has been given, shall, as soon as may be after the expiry of the period of notice, be read to the Assembly by the Speaker who shall then request the members who are in favour of leave being granted to move the Resolution to rise in their places and if not less than 20 members rise accordingly, the Speaker shall intimate that leave is granted and that the motion will be taken up on such day, not being more than 7 days from the day on which leave is granted, as he may appoint. If less than 20 members rise, the Speaker shall inform the member who has given the notice, that he has not the leave of the Assembly to move it.

86. No-confidence motion against the Council of Ministers or a Minister.—(1) A motion expressing want of confidence in the Council of Ministers or a Minister or a motion disapproving the policy of the Council of Ministers or a Minister in a particular respect may be made with the consent of the Speaker and subject to the following restrictions namely :—

- (a) leave to make the motion must be asked for after questions and before the list of business for the day is entered upon, and
- (b) the member asking for leave must, not less than one hour before the commencement of the sitting of the day, leave with the Secretary a written notice of the motion which he proposes to make.

(2) If the Speaker is of opinion that the motion is in order, he shall read the motion to the House and shall request those members who are in favour of leave being granted to rise in their places, and, if not less than 16 members rise accordingly the Speaker shall intimate that leave is granted and that the motion will be taken on such day, not being more than 7 days from the day on which leave is asked, as he may appoint. If less than 16 members rise, the Speaker shall inform the member that he has not the leave of the House.

87. Statement by Minister in Explanation of His Resignation.—(1) A member who has resigned the office of Minister shall have the right with the consent of the Speaker to make a personal statement in explanation of his resignation at the earliest possible opportunity.

(2) Such statement shall be made after questions and before the list of business for the day is entered upon.

(3) On such statement no debate shall be allowed :

Provided that a Minister shall be entitled after the member has made his statement to make a statement pertinent thereto.

CHAPTER XII—LEGISLATION

(A) INTRODUCTION AND PUBLICATION OF BILLS

88. Notice of Motion for Leave to Introduce Bills.—(1) A private member desiring to move for leave to introduce a Bill shall give notice of his intention and shall together with the notice submit a copy of the Bill and a Statement of Objects and Reasons.

(2) The Statement of Objects and Reasons shall be brief and shall not contain any offensive, defamatory or irrelevant matter or any argument. The Speaker may, if he thinks fit, revise the Statement of Objects and Reasons.

(3) The period of notice of a motion for leave to introduce a Bill under this Rule shall be fifteen days unless the Speaker allows the motion to be made at a shorter notice.

89. Motion for Leave to Introduce and Introduction.—If a motion for leave to introduce a Bill is opposed, the Speaker, after permitting if he thinks fit, a brief explanatory statement from the member who moves and from the member who opposes the motion, may put the question without further debate. If leave to introduce the Bill is granted the mover shall forthwith introduce the Bill.

90. Publication.—As soon as may be after a Bill has been introduced, the Bill together with the Statement of Objects and Reasons shall be published in the Gazette:

Provided that the Chief Commissioner may order publication of any Bill together with the Statement of Objects and Reasons accompanying it and the previous sanction or recommendation of the President or the Chief Commissioner, if necessary, in the Gazette although no motion has been made for leave to introduce the Bill. In that case it shall not be necessary to move for leave and if the Bill is afterwards introduced, it shall not be necessary to publish it again.

91. Translation of Bills.—After a Bill has been introduced or in the case of a Bill published under the proviso to rule 90 after such Bill has been published, the Bill and the Statement of Objects and Reasons shall be translated into Hindi and Urdu and such translations shall be published in the Gazette.

92. Previous Sanction or Recommendation for Introduction of Bills.—(1) If notice is given of a motion to introduce a Bill or to move an amendment which in the opinion of the Speaker cannot be introduced or moved save with the previous sanction of the President or the Chief Commissioner or the recommendation of the Chief Commissioner, the Speaker shall as soon as may be after the receipt of the notice, refer the Bill or the amendment to the President or the Chief Commissioner, as the case may be, and the motion shall not be placed on the List of Business unless the President or the Chief Commissioner has communicated that the previous sanction or recommendation has been granted or is not required.

(2) If any question arises whether a Bill or amendment is or is not a Bill or amendment which cannot be introduced or moved save with the previous sanction of the President or the Chief Commissioner or the recommendation of the Chief Commissioner, and if the Speaker is of opinion that it requires that sanction or recommendation, he shall stay further progress of the Bill or amendment until the authority competent to grant previous sanction or recommendation has communicated that such previous sanction or recommendation has been granted or that it is not required.

(3) A motion that a Bill, to which the provisions of subsection (3) of Section 24 of the Act apply, be passed shall not be put unless the Minister in charge of the Department to which the Bill relates states that the consideration of the Bill has been recommended by the Chief Commissioner.

(B) MOTIONS AFTER INTRODUCTION

93. Motions after Introduction.—When a Bill is introduced, or on some subsequent occasion, the member-in-charge of the Bill may make one of the following motions in regard to his Bill, namely:—

- (a) that it be taken into consideration by the Assembly either at once or at some future day to be then specified, or
- (b) that it be referred to a Select Committee; or
- (c) that it be circulated for the purpose of eliciting opinion thereon.

Provided that no such motion shall be made until after copies of the Bill have been made available for the use of members, and that any member may object to any such motion being made unless copies of the Bill have been so made available for three days before the motion is made and such objection shall prevail unless the Speaker allows the motion to be made.

94. Discussion of Principles of Bills.—(1) On the day on which any motion referred to in rule 93 is made, or on any subsequent day to which the discussion is postponed, the principles of the Bill and its general provisions may be discussed, but the details of the Bill shall not be discussed further than is necessary to explain its principles.

(2) At this stage no amendments to the Bill may be moved but if the member-in-charge moves that the Bill :—

- (a) be taken into consideration, any member may move as an amendment that the Bill be referred to a Select Committee or be circulated for the purpose of eliciting opinion thereon by a date to be mentioned in the motion, or
- (b) be referred to a Select Committee, any member may move as an amendment that the Bill be circulated for the purpose of eliciting opinion thereon by a date to be specified in the motion,

(3) Where a motion that a Bill be circulated for the purpose of eliciting opinion thereon is carried in the Assembly and the Bill is circulated in accordance with that direction and opinions have been received thereon by the date mentioned in the motion, the member-in-charge, if he wishes to proceed with his Bill thereafter, shall move that the Bill be referred to a Select Committee unless the Speaker allows the motion to be made that the Bill be taken into consideration.

95. Persons by whom Motions in respect of Bills may be made.—No motion that a Bill be taken into consideration or be passed shall be made by any member other than the member in charge of the Bill, and no motion that a Bill be referred to a Select Committee or be circulated or re-circulated for the purpose of eliciting opinion thereon, shall be made by any member other than the member-in-charge, except by way of amendment to a motion made by the member in charge of the Bill.

(C) SELECT COMMITTEE

96. Composition of Committee.—(1) The Minister in charge of the Department to which the Bill relates and the member who introduces the Bill, shall be members of every Select Committee.

(2) The other members of the Committee whose number shall be 7, save when the Bill is introduced by a private member when the number of members shall be 6, shall be named by the Assembly when the motion that the Bill be referred is made or at any subsequent meeting. In case election is necessary, it shall be held according to the principles of proportional representation by means of the single transferable vote.

97. Procedure of Select Committee.—(1) The Chairman of the Committee shall be appointed by the Speaker from amongst the members of the Committee :

Provided that where the Deputy Speaker is a member of the Committee, he shall be appointed Chairman of the Committee.

(2) If the Chairman is for any reason unable to act, the Speaker may similarly appoint another Chairman in his place.

(3) If the Chairman is absent from any meeting, the Committee shall choose another member to act as Chairman for that meeting.

(4) The Chairman shall convene the meetings of the Select Committee after the Bill has been referred to it and shall be responsible for the preparation of the report.

(5) A select Committee may call for any papers or other evidence it considers necessary.

(6) The necessary papers on which the Bill is based shall be supplied on demand by the members.

(7) No business shall be transacted at any sitting of a Select Committee unless one half of the members of the Committee are present.

(8) The discussions of a Select Committee shall not be disclosed by any member nor shall any reference to such discussions be made in the Assembly.

98. Report by Select Committee.—The Select Committee shall in its report mention the date on which the Bill was published in the Gazette and shall also state whether or not in its judgment the Bill has been so altered as to require re-publication.

99. Minute of Dissent.—(1) If any member of a Select Committee desires to record a minute of dissent on any point, he must sign the majority report, stating that he does so subject to his dissent, and must hand in his minute within reasonable time to be fixed by the Chairman.

(2) A member who has not been present even at a single meeting of the Committee shall not be asked to sign the report, nor have the right of recording a minute of dissent.

100. Printing and Publication of Report.—The Secretary shall cause the report of the Select Committee to be published in the Gazette, along with the amending Bill, if the Select Committee recommended re-publication, and shall have a copy of the printed report made available to every member.

101. Presentation of Report.—The report of the Select Committee on a Bill shall be presented to the Assembly by the Member in charge of the Bill, who, if he makes any remarks in presenting the report, shall confine himself to a brief statement of the amendments made by the Select Committee.

(D) PROCEDURE AFTER PRESENTATION OF REPORT OF A SELECT COMMITTEE

102. Motion that may be moved after Presentation of the Report of a Select Committee.—(1) After the presentation of the report of a Select Committee on a Bill, the member-in-charge of the Bill may move—

- (a) that the Bill as reported by the Select Committee be taken into consideration, but any member may object to its being so taken into consideration if a copy of the report has not been made available for the use of the members for three days, and such objection shall prevail, unless the Speaker allows the report to be taken into consideration; or
- (b) that the Bill as reported by the Select Committee be re-committed either (i) without limitation or (ii) with respect to particular clauses or amendments only, or (iii) with instructions to the Select Committee to make some particular or an additional provision in the Bill;

(2) If the member-in-charge of the Bill moves that the Bill as reported by the Committee be taken into consideration, any member may move as an amendment that the Bill be re-committed to a Committee.

103. Scope of Debate on Report of Select Committee.—There shall be no debate on any motion or amendment at this stage except that the member making the motion or moving the amendment and the member opposing may be allowed to make brief statements and then the question or questions, as the case may be, shall be put.

(E) CONSIDERATION OF AMENDMENTS TO BILLS

104. Proposal of Amendments.—When a motion that a Bill be taken into consideration has been agreed to by the Assembly any member may propose an amendment to the Bill.

105. Notice of Amendments.—(1) If a notice of proposed amendment has not been delivered to the Secretary thirty-six hours before the meeting of the Assembly at which the Bill is to be considered, any member may object to the moving of the amendment, and such objection shall prevail unless the Speaker allows the amendment to be moved:

Provided that previous notice shall not be necessary in the case of amendments of a purely verbal character or of amendments consequential upon or moved in respect of amendments which have been carried.

(2) The Secretary shall cause every notice of a proposed amendment to be printed and a copy shall be made available for the use of every member.

106. Order of Amendments.—Amendments shall ordinarily be considered in the order of the clauses of the Bill to which they respectively relate; and in respect of any such clause a motion shall be deemed to have been: "That this clause stand part of the Bill".

107. Clause One, Pre-amble and Title of the Bill.—Clause one, the preamble, if any, and the title of a Bill shall stand postponed until the other clauses and schedules (including new clauses and new schedules) have been disposed of and the Speaker shall then put the question: "That clause one, or the Preamble or the Title (or, as the case may be, that clause one, Preamble or Title, as amended) stand part of the Bill".

108. Submission of Bills Clause by Clause.—Notwithstanding any thing in these rules it shall be in the discretion of the Speaker, when a motion that a Bill be taken into consideration has been carried, to submit the Bill or any part of the Bill, to the Assembly clause by clause. When this procedure is adopted the Speaker shall call each clause separately, and when the amendments relating to it have been dealt with shall put the question "that this clause, or, as the case may be, this clause as amended, stand part of the Bill."

109. Postponement of a Clause.—The Speaker may, if he thinks fit, postpone the consideration of a clause.

(F) PASSING AND AUTHENTICATION OF BILLS

110. Passing of a Bill.—(1) When a motion that a Bill be taken into consideration has been carried and no amendment has been made in the Bill, the member-in-charge of the Bill may at once move that the Bill be passed and the question shall be put without any debate.

(2) If an amendment is made in the Bill, any member may object to a motion being made on the same day that the Bill be passed, and such objection shall prevail unless the Speaker allows the motion to be made.

(3) Where the objection prevails, a motion that the Bill be passed may be brought forward on any future day.

(4) To such a motion no amendment may be moved except with the permission of the Speaker.

111. Scope of Debate.—The discussion on a motion that the Bill be passed shall be confined to the submission of arguments with regard to the effect of amendments made in the Bill. In making his speech a member shall not refer to the details of the Bill further than is necessary for the purpose of his arguments.

112. Authentication of Bills.—When a Bill is passed by the Assembly the Secretary shall re-number the clauses, revise and complete the marginal notes thereon, make such purely formal, verbal or consequential amendments therein as may be required and correct such errors as may appear to him to be due to inadvertence.

The Secretary shall then submit two copies of the Bill to the Speaker and they shall, if approved as correct, be signed by him.

(G) GENERAL

113. Assent to Bill and Publication of Bills as Act.—When a Bill has been signed by the Speaker under rule 112, it shall be submitted to the Chief Commissioner for President's assent. After the President's assent has been given, it shall be published in the Gazette as an Act of the Delhi Legislative Assembly assented to by the President.

114. Note of Verbal Amendments.—Along with the signed copy under rule 112 a note showing the verbal and consequential amendments or rectification of errors made in the Bill, shall also be submitted to the Chief Commissioner. A copy of these alterations shall be placed on the table of the Assembly prior to the announcement of the President's assent.

(H) RE-CONSIDERATION OF BILLS RETURNED BY THE CHIEF COMMISSIONER

115. Re-consideration of Bills returned by the Chief Commissioner.—When a Bill which has been passed is returned by the Chief Commissioner to the Assembly for reconsideration, the point or points referred for reconsideration or the amendments recommended shall be put before the Assembly by the Speaker, and shall be discussed and voted upon in the same manner as amendments to a Bill or in such other way as the Speaker may consider most convenient for their consideration by the Assembly.

(I) WITHDRAWAL OF BILLS AND DROPPED BILLS

116. Withdrawal of a Bill.—The member-in-charge of a Bill may at any stage of the Bill move for leave to withdraw the Bill, and if such leave is granted no further motion shall be made with reference to the Bill.

117. Dropped Bills.—Any Bill in respect of which no motion has been made in the Assembly for two years may, by order of the Speaker, be removed from the list of business.

CHAPTER XIII—COMMUNICATIONS BETWEEN THE CHIEF COMMISSIONER AND THE ASSEMBLY

118. Communication from the Chief Commissioner to the Assembly.—Communications from the Chief Commissioner to the Assembly may be made by a written message delivered to the Speaker and read to the House by him, or, if the Chief Commissioner is absent from the place of meeting of the Assembly, through a Minister.

119. Communication from the Assembly to the Chief Commissioner.—Communications from the Assembly to the Chief Commissioner shall be made through the Speaker by formal address after motion made and carried in the Assembly.

CHAPTER XIV—GENERAL RULES OF PROCEDURE
(A) LANGUAGE OF THE ASSEMBLY

120. Language of the Assembly.—The business of the Assembly shall be transacted in English or in Hindi or in Urdu or in any other language or languages in use in the State as may be adopted by law as the Official language or languages of the State.

(B) NOTICES

121. Giving of Notices.—(1) Every notice required by the rules shall be given in writing addressed to the Secretary and shall be left at the table or in his office during working hours.

(2) A notice received in the office at hours other than those specified in the preceding sub-rule shall be treated as given on the next opening day.

122. Circulation of Notice and Papers to Members.—The Secretary shall circulate to each member a copy of every notice or other paper which is by these rules required to be made available for the use of members.

(C) EFFECT OF PROROGATION AND DISSOLUTION

123. Effect of Prorogation and Dissolution of Assembly.—(1) When the Assembly is prorogued all pending notices shall lapse but all Bills which have been introduced shall be carried over to the list of pending business of the next session.

(2) A Bill which is pending in the Assembly shall lapse on a dissolution of the Assembly.

(D) MOTIONS

124. Discussion of Matters of General Public Interest by means of a Motion.—Save in so far as is otherwise provided by the Constitution or the Act or by these rules, no discussion of a matter of general public interest shall take place otherwise than on a resolution moved in accordance with these rules, except on a motion made with the consent of the Speaker, who if he admits the motion, will allot a day or days for its discussion in consultation with the Leader of the House.

125. Motions without Notice.—The following motions may be made, if the Speaker permits, without notice:—

- (i) Motion for congratulation or condolence.
- (ii) Motion for adjournment of a meeting.
- (iii) Motion for the withdrawal of strangers.
- (iv) Motion for electing members to standing committees.
- (v) Motion for the withdrawal of a Bill, a resolution or a motion or amendments thereto.
- (vi) Motion for postponement of any business.
- (vii) Motion for closure of debate.
- (viii) Motion for suspension of a rule.
- (ix) Motion to extend duration of a meeting.

126. A Motion must not raise a Question already decided.—A motion must not raise a question substantially identical with one on which the Assembly has given its decision in the same session:

Provided that nothing herein contained shall, unless the Speaker in any case otherwise directs, be deemed to prevent the making of any of the following motions, namely:—

- (a) A motion for the taking into consideration or the reference to a Select Committee of a Bill where an amendment has been carried to a previous motion of the same kind to the effect that the Bill be circulated or re-circulated for obtaining opinion thereon.
- (b) A motion made after return of Bill by the Chief Commissioner for re-consideration of the Assembly, for an amendment relevant to the point or points referred for re-consideration.
- (c) A motion for the amendment of a Bill which is consequential on or designed merely to alter the drafting of another amendment which has been carried.

127. Motion for Postponement of Business.—(1) A motion that consideration of a Bill, other than an Appropriation Bill under Section 30 of the Act, which has been introduced or of a motion other than a motion for adjournment, be adjourned to any future day in the same session available for such business or to any future session or *sine die*, may be made by any member at any time, and such motion shall take precedence over any other motion then before the Assembly. The Speaker after permitting a brief explanatory statement from the mover and from the member opposing, if the motion is opposed, may, without further debate, put the question thereon.

(2) If a motion for the adjournment of Private Members' business to a specified day is carried the adjourned business shall have priority over the Private Members' business fixed for that day.

(3) The Speaker may disallow such motion for the adjournment of business if it has, in his opinion, been made for the purpose of obstructing the business of the Assembly or for securing the adjournment of the meeting.

128. Withdrawal of Motions.—(1) The Member who has moved a motion or an amendment to a motion shall not withdraw the same except by leave of the Assembly:

Provided that if the notice of the same motion or amendment has been given by another member, it shall not be allowed to be withdrawn if such other member objects to the withdrawal.

(2) Leave to withdraw the motion may be asked for at any time before the question is put.

(3) No discussion shall be permitted on a motion for leave to withdraw except with the permission of the Speaker.

(4) If leave is granted to a member to withdraw his motion, the amendments, if any, which have been proposed to the motion shall be deemed to have been withdrawn.

129. Closure.—(1) At any time after a motion has been made any member may move "That the question be now put", and, unless it appears to the Speaker that the motion is an abuse of these rules or an infringement of the right of reasonable debate, the Speaker shall then put the motion: "That the question be now put."

(2) Where the motion: "That the question be now put" has been carried, the question or questions consequent thereon shall be put forthwith without further debate:

Provided that the Speaker may allow any member any right of reply which he may have under these rules.

(E) AMENDMENTS

130. Amendments which may be Admissible.—(1) An amendment must be relevant to and within the scope of the motion to which it is proposed.

(2) An amendment may not be moved which, if carried, would have merely the effect of a negative vote.

(3) After a decision has been given on an amendment to any part of a motion an earlier part shall not be amended.

(4) No amendment may be proposed which is inconsistent with a previous decision on the same subject matter given at the same stage of any Bill or motion.

(5) The Speaker may at any stage disallow an amendment or refuse to put an amendment which is in his opinion frivolous.

(6)(a) An amendment to an amendment may be moved with the permission of the Speaker.

(b) When an amendment to an amendment is moved, the amendment sought to be amended shall, so long as the amendment by which it is sought to be amended is under consideration, be deemed to be the substantive proposition before the Assembly.

(c) No notice of an amendment to an amendment is required.

131. Amendment how put.—(1) When an amendment is moved or when two or more amendments are moved, the Speaker shall, before putting the question thereon, state or read to the House the terms of the original motion.

(2) It shall be in the discretion of the Speaker to put first to the vote either the original motion or any of the amendments which may have been brought forward.

(F) RULES TO BE OBSERVED BY MEMBERS

132. Rules to be observed by Members while present in the House.—Whilst the House is sitting a member:—

(i) shall enter, sit in and leave the House with decorum and shall take and leave his seat after bowing to the Chair;

(ii) shall not come in between the Chair and the member in possession of the floor of the House;

(iii) shall not cross the floor of the House;

(iv) shall not read any book, newspaper or letter except in connection with the business of the House; and

(v) shall not interrupt any member while speaking by disorderly expression or noises or in any other way so as to disturb the smooth transaction of the business.

133. Member to speak when called by the Speaker.—When a member rises to speak, his name shall be called by the Speaker. If more members than one rise at the same time, the member whose name is so called shall be entitled to speak.

134. Mode of addressing the House.—A member desiring to make any observations on any matter before the House shall rise when he speaks and shall address the Speaker:

Provided that a member disabled by sickness or infirmity may be permitted by the Speaker to speak sitting.

135. Rules to be observed while speaking and answering Questions.—(1) The matter of every speech must be strictly relevant to the matter before the Assembly.

(2) A member while speaking or answering a question shall not—

- (i) express any opinion or make any comment on any matter of fact on which a judicial decision is pending.
- (ii) make a personal charge against a member.
- (iii) use offensive expressions about the conduct or proceedings of the Parliament or the Legislature of any State.
- (iv) reflect on any decision of the House except on a motion for rescinding it.
- (v) reflect upon the conduct of the President or any Governor or any Rajpramukh or any Lt.-Governor or any Chief Commissioner or any Court of Justice.
- (vi) utter treasonable or defamatory words but he may, with the permission of the Speaker quote them for the purposes of his arguments; or
- (vii) use his right of speech for the purpose of obstructing the business of the Assembly.
- (viii) disclose the proceedings of any Committee appointed by the Assembly; or
- (ix) discuss any Ruling, order or direction of the Speaker except on motion for the removal of the Speaker.

136. Questions to be asked through the Speaker.—When for the purposes of explanation during discussion or for any other sufficient reason any member has occasion to ask a question of another member on any matter then under the consideration of the Assembly, he shall ask the question through the Speaker.

137. Irrelevance or Repetition.—The Speaker after having called the attention of the Assembly to the conduct of a member who persists in irrelevance or in tedious repetition either of his own arguments or of the arguments used by other members in debate, may direct him to discontinue his speech.

138. Speech not to be read.—A private member may not read his speech but may use it or the notes to refresh his memory.

(G) ORDER OF SPEECHES AND RIGHT OF REPLY

139. Order of Speeches and Right of Reply.—(1) After the member who moves has spoken, others may speak on the motion in such order as the Speaker may determine. If any member when called upon by the Speaker does not speak, he shall not be entitled, except by the permission of the Speaker, to speak on the motion at any later stage of the debate.

(2) Except as hereinafter otherwise provided, no member shall speak more than once on any motion except for the purpose of making a personal explanation and then only with the permission of the Speaker and in such case no debatable matter may be brought forward.

(3) The mover of the motion, but not the mover of an amendment, other than an amendment to a Bill or to the Rules, may speak a second time on the conclusion of the debate by way of reply. The mover of an amendment to an amendment shall have no right of reply. If the motion is moved by a private member, the Minister-in-charge of the Department concerned shall have the right of speaking after the mover has replied, whether such Minister has previously spoken in the debate or not.

(H) PROCEDURE WHEN SPEAKER RISES

140. Speaker to be heard in silence.—(1) Whenever the Speaker rises he shall be heard in silence and any member who is then speaking or offering to speak shall immediately sit down.

(2) No member shall leave his seat while the Speaker is addressing the House.

(I) DIVISION

141. Decision of the Assembly.—The Decision of the Assembly shall be taken by means of a question put by the Speaker on a motion proposed by a member.

142. Division.—(1) Votes may be taken by voices or by division and shall be taken by division if any member so desires:

Provided that the Speaker may if he considers it necessary avoid a division by taking votes by show of hands.

(2) The result of a division shall at once be announced by the Speaker and shall not be challenged.

(J) SPEAKER'S POWER TO ORDER WITHDRAWAL OF A MEMBER OR TO SUSPEND A SITTING

143. Power to order withdrawal of members.—(1) The Speaker shall preserve order; and may direct any member, whose conduct, in his opinion, is disorderly, to withdraw immediately from the House and the member so ordered to withdraw shall do so forthwith and shall absent himself during the remainder of the day's sitting.

(2) If any member is ordered to withdraw a second time in the same session, the Speaker may direct him to withdraw from the meeting of the House and may name him. Similarly, if a member, when ordered by the Speaker to withdraw, does not obey the order, the Speaker may name him. As soon as a member is named, the Leader of the House shall forthwith make a motion to the effect that the member so named be suspended for the period to be mentioned in the motion:

Provided that this period shall in no case be longer than the remainder of the session:

Provided further that the House may at any time on a motion being made, resolve that such suspension be terminated.

(3) The Speaker shall have full authority to carry out his order or the decisions of the House and may employ or authorize the employment of, necessary force, at any stage of the proceedings.

(4) The Speaker may in the case of grave disorder arising in the House suspend any sitting for a time to be determined by him.

(K) RESIGNATION, ABSENTEE MEMBER AND VACATION OF SEAT IN THE ASSEMBLY

144. Resignation of seats in the Assembly.—As soon as may be, the Speaker shall, after he has received an intimation in writing from a member under his hand resigning his seat in the Assembly inform the House that such a member has resigned his seat in the Assembly.

145. Absentee members.—(1) If a member finds at any time that he is unable to attend meetings of the Assembly for a period of sixty consecutive days, computed in the manner provided in the proviso to sub-section (3) of section 16 of the Act, he may apply for permission to be so absent.

(2) Such application shall be set down for consideration by the House soon after receipt, as may be ordered by the Speaker, and shall on the day so fixed be considered by the House immediately after questions, and before any other business for the day is entered upon.

(3) Notwithstanding anything contained in rules 141 and 142 the Speaker shall decide the manner in which the decision of the Assembly shall be taken on such applications.

(4) The Secretary shall inform the member, as soon as possible, of the decision of the Assembly on his application.

(5) If a member is absent without permission from all meetings of the Assembly for a period of sixty days or more, computed in the manner provided in the proviso to sub-section (3) of section 16 of the Act, any member may move that such member's seat be declared vacant.

(6) A member shall give three days' notice of such a motion and shall, with his notice, forward a complete statement of the dates on which the member, whose seat is to be declared vacant, was absent.

(7) The Secretary shall keep a list showing the names of all members who are absent for sixty days or more from all meetings of the Assembly and such list shall be made available for inspection by members.

(L) POINTS OF ORDER AND SPEAKERS' POWER TO REGULATE DISCUSSION

146. Points of order and decisions thereon.—(1) Any member may at any time submit a point of order for the decision of the Speaker, but in doing so shall confine himself to stating the point.

(2) The Speaker shall decide all points of order which may arise, and his decision shall be final.

147. Discussion on points of order.—(1) No discussion on any point of order shall be allowed unless the Speaker thinks fit to hear the views of members thereon.

(2) When a point of order is raised the member then in possession of the House shall immediately resume his seat.

(M) RECORD AND REPORT OF PROCEEDINGS

148. Record of proceedings of the Assembly.—(1) The Secretary shall keep a journal in which a short record of the decisions of the Assembly for each day shall be entered.

(2) The journal, after each meeting of the House, shall be signed by the Speaker; and when so signed it shall form an authentic record of the decisions of the House.

149. Report of proceedings of the Assembly.—(1) The Secretary shall cause to be prepared a full and accurate report of the proceedings of the Assembly at each of its meetings and shall publish it in such form and manner as the Speaker may from time to time direct.

(2) A copy of such report shall be sent by the Secretary to each member of the Assembly and to the Chief Commissioner within two months.

(N) ADMISSION OF STRANGERS

150. Speaker to regulate admission of strangers.—The admission of strangers during the sittings of the House to those portions of the House, which are not reserved for the exclusive use of members, shall be regulated in accordance with orders made by the Speaker.

151. Power to order withdrawal of strangers.—The Speaker either of his own motion or on the suggestion of any member may at any time during a sitting of the Assembly order the withdrawal of strangers from any part of the House.

152. Steps for expulsion of strangers.—The Speaker may take such steps as may be necessary or such action as the circumstances of the case may in his discretion require for the expulsion of any stranger from any portion of the House.

(O) AMENDMENTS OF RULES

153. Notice.—Unless the Speaker otherwise directs, not less than ten days' notice of the motion for leave to amend the Rules shall be given and the notice shall be accompanied by a draft of the proposed amendments.

154. Leave of the House.—The motion shall be set down for such day as the Speaker may direct. When the motion is reached the Speaker shall read the draft amendments and ask whether the member has the leave of the House. If objection is taken, the Speaker after permitting, if he thinks fit, a brief explanatory statement from the member, who moves and from the member who objects, shall request those members who support the motion to rise in their places and if not less than one-third of the total number of members of the House for the time being rise accordingly the Speaker shall intimate that the member has the leave of House. If less than one-third of the members rise, the Speaker shall inform the member that he has not the leave of the House.

155. Members of Select Committee.—Where a member has the leave of the House to proceed, the draft amendments shall be referred to a Select Committee consisting of 7 members, including the member who has given notice, to be elected by the House, according to the principle of proportional representation by means of the single transferable vote, and of which the Deputy Speaker shall be the Chairman.

Provided that in case of a minor or a small number of amendments the House may take those amendments into consideration without reference to a Select Committee.

156. Procedure.—After the draft has been referred to a Select Committee, the procedure in regard to Bills shall, as far as may be, be followed with such necessary alterations as to the form of the motions that may be made as the Speaker may direct.

(P) ATTENDANCE OF MEMBERS

157. Attendance register.—A record of attendance of members in the meetings of the Assembly shall be kept by the Secretary and for this purpose an attendance register shall be maintained. It will be placed near the Secretary's table before the commencement of a meeting and the members, other than the Speaker, the Deputy-Speaker, Minister and Parliamentary Secretaries shall sign it before the meeting is adjourned. No member, who has not signed the register shall be treated as present:

Provided that the Speaker, if he is satisfied, may order that a member, who attended a meeting but failed to sign the register, may be marked as present.

(Q) PETITIONS

158. Subject of Petitions.—Petitions relating to a Bill, which has been published or which has been introduced or in respect of which notice of a motion has been received under these rules, may be presented or submitted in accordance with these rules. Every petition shall be couched in respectful and temperate language.

159. Authentication of signatories to a petition.—The full name and address of every signatory to a petition shall be set out therein and shall be authenticated by the signatory, if literate by his signature and if illiterate by his thumb-impression.

160. Countersignature.—Every petition shall, if presented by a member, be countersigned by him.

161. Petition to whom to be addressed and how to be concluded.—Every petition shall be addressed to the Assembly and shall conclude with a prayer reciting the definite object of the petitioners in regard to the Bill to which it relates.

162. Presentation of a Petition.—Any petition may be presented by a member, or be forwarded to the Secretary, in which latter case, the fact shall be reported by him to the House, and no debate shall be permitted on the making of such report.

163. Form of Presentation.—A member presenting petition shall confine himself to a statement in the following form :—

"I present a petition signed by Petitioners regarding Bill", and no debate shall be permitted on his statement.

164. Constitution of Committee on Petitions.—(1) At the commencement of a session or from time to time, as the case may be, the Speaker shall nominate a Committee on Petitions consisting of not more than five members.

(2) A Committee nominated under sub-rule (1) shall hold office until a new Committee is nominated.

165. Chairman of Committee on Petition.—(1) The Chairman of the Committee shall be appointed by the Speaker from amongst the members of the Committee:

Provided that if the Deputy Speaker is a member of the Committee, he shall be appointed Chairman of the Committee.

(2) If the Chairman is for any reason unable to act, the Speaker may similarly appoint another Chairman in his place.

(3) If the Chairman is absent from any meeting, the Committee shall choose another member to act as Chairman for that meeting.

166. Reference to Committee.—Every petition after presentation by a member or report by the Secretary, as the case may be, shall be referred to the Committee.

167. Examination and circulation of petition.—The Committee shall examine every petition referred to it, and if the petition complies with these rules, the Committee may in its discretion direct that it be circulated to the members of the House as a paper to the Bill to which it relates. The direction of the Committee shall under the orders of the Speaker be complied with.

(R) MISCELLANEOUS

168. *Secretary of the Assembly, ex-officio Secretary of Select Committees, etc.*—The Secretary of the Assembly shall be Ex-officio Secretary of the Select Committees, Petitions Committee, Estimates Committee, Privileges Committee and House Committee appointed by the House. He shall arrange to send notices of the meetings and shall arrange for the conduct of all correspondence connected with their business.

169. *Publication of information regarding vacancies in the Assembly.*—The Secretary shall, as soon as may be after a seat in the Assembly has fallen vacant, cause the information to be published in the Gazette and shall forward a copy of the notification to the Election Commission for taking steps to fill the vacancy thus caused and also to the Government.

170. *Speaker to make regulations for election by single transferable vote.*—The Speaker shall make regulations governing the method of election by single transferable vote.

171. *Holding of Election by a Section of the Assembly.*—When in pursuance of an Act of Parliament or of the Assembly a section of members of the Assembly has to elect its representatives on a public body, the Secretary shall, when requested by the body concerned, arrange to hold an election in accordance with the directions of, and regulation made, by the Speaker in this behalf.

172. *Copy of Bill to the Chief Commissioner.*—A copy of every Bill introduced in the Assembly shall, immediately after its introduction, be forwarded by the Secretary to the Chief Commissioner.

173. *Copy of Private Members' Bill to Government.*—(1) Whenever a Private member of the Assembly gives notice of his intention to move for leave to introduce a Bill, the Secretary shall forthwith send a copy of the Bill together with the Statement of Objects and Reasons, to the Department to which matter of the Bill relates and to the Law Department.

(2) The provision of sub-rule (1) shall, as far as may be, apply to all amendments, notice of which is given by a private member of the Assembly, in the case of a Bill.

174. *Agenda and proceedings of committees to be confidential.*—The agenda and proceedings of Committees shall not be disclosed to anybody by any member and their reports shall be treated as confidential until their presentation in the House.

175. *Suspension of Rules.*—Any member may, with the consent of the Speaker, move that any rule may be suspended in its application to a particular motion before the House and if the motion is carried the rule in question shall be suspended for the time being.

The Speaker shall decide the procedure to be followed in lieu of that contained in the suspended rule.

176. *Interpretation and removal of difficulties.*—If any doubt arises as to the interpretation of any of the provisions of these rules, the decision of the Speaker shall be final.

177. *Residing Powers.*—All questions not specifically provided for in these rules and all questions relating to the detailed working of these rules shall be regulated in such manner as the Speaker may from time to time direct.

178. *Speakers decision not to be questioned.*—No decision of the Speaker in respect of disallowance of any resolution or question or in respect of any other matter shall be questioned.

179. *Papers Laid on the Table.*—Papers which under any law or these rules are required to be laid on the table of the Assembly shall be kept in the office of the Secretary and intimation thereof shall be given to every member. Such papers shall be open to inspection by any member during office hours.

180. *House Committee.*—As soon as may be after the commencement of each Session, there shall be appointed a House Committee to consider and advise upon matters connected with the comfort and convenience of members. The Committee shall consist of six members of whom one shall be the Chairman to be nominated by the Speaker.

181. *Library Committee.*—The Speaker may appoint a Library Committee consisting of such members as he thinks fit to advise upon matters connected with the Members' Library.

M. L. VIJH,
Secretary,
Delhi Legislative Assembly.

NOTIFICATIONS

Delhi, the 18th September 1952

No. F.12(45)/49-CS.—In exercise of the powers conferred by Section 3 of the Essential Supplies (Temporary Powers) Act, 1946 (XXIV of 1946) as delegated in the Government of India late Department of Industries and Supplies Notification No. 73(1)ETA/46, dated the 28th December 1946, the Chief Commissioner, Delhi is pleased to direct that the following further amendment shall be made in the Delhi Cotton Cloth Dealers Licensing Order, 1949, published with his Notification No. F.12(45)/49-CS, dated the 17th June 1949 and as subsequently modified:—

Amendment

In sub-clause (c) of Clause 2 of the said order after the words "Deputy Director of Civil Supplies (General)" the words "and the Assistant Director of Civil Supplies (Textiles)" shall be added.

By order,
L. J. JOHNSON,
Chief Secretary to Government,
Delhi State.

Delhi, the 18th September 1952

No. F.9(18)/52-CS.—In exercise of the powers conferred by Section 3 of the Essential Supplies (Temporary Powers) Act, 1946 (Act XXIV of 1946), as delegated under the Government of India, late Department of Food Notification No. Py.-603(2)-1, dated the 21st October, 1946 and with the prior concurrence of the Government of India, the Chief Commissioner of Delhi is pleased to direct that within the Delhi State the maximum issue prices which may be charged for the articles specified in column No. 1 of the Schedule annexed shall be as shown in columns 2 and 3 with effect from the 18th August, 1952.

Schedule

Specification of the article.—Rice grade II A received from U.P.

Wholesale price per maund.—Rs. 27-15-0.
Retail price per maund.—Rs. 28-12-0.

By order,
L. J. JOHNSON,
Chief Secretary to Government,
Delhi State.

Office of the Director of Rationing & Civil Supplies

Delhi, the 28th September 1952

No. F.Tex.WL(636)/52/12496.—In exercise of the powers conferred upon me under Clause 6 of the Delhi Cotton Cloth Dealers Licensing Order 1949, I, Deputy Director of Civil Supplies (General), Delhi, hereby cancel wholesale licence No. W/636 with immediate effect, particulars of which are given below:—

Licence issued to.—Mangal Chand Atma Ram.

Address of Licensee.—620, Chira Khana, Delhi.

The 15th September 1952

No. F.Tex./LRw(1140)/93041.—In exercise of the powers conferred on me under Clause 6 of the Delhi Cotton Cloth Dealers' Licensing Order 1949, I, Deputy Director of Civil Supplies (General), Delhi, hereby cancel licence No. W/1140 with immediate effect. Full particulars of the licence are as under:—

Name of the Firm.—Gokal Singh, Bishan Singh.

Licence No.—W/1140.

Address.—Katra Subhash, Chandni Chowk, Delhi.

N. KAUL,

Deputy Director of Civil Supplies (General),
Delhi.

NOTICE

In the matter of Indian Companies Act, 1913

In the matter of Aryan Bank Ltd. (In Liquidation)

Calcutta, the 16th September 1952

By an order of the Hon'ble High Court, Calcutta, dated the 20th March, 1950, the above-named bank has been directed to be wound up and the Official Receiver, High Court, Calcutta, has been appointed Official Liquidator thereof.

M. M. CHAKRABARTY,
Official Receiver,
High Court, Calcutta.

